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ABSTRACT

One of 16 booklets designed for use in an Open University course on the education of handicapped children in the United Kingdom, this document focuses on special education policy efforts in Norway, the United States and Italy. Separate chapters present information on each country, especially detailing each country's attempts to provide for integrated schooling for handicapped students. Norway's experience is highlighted in terms of reforms begun in 1920. The Italian approach to integration is considered in light of the country's economic, cultural, religious and political diversity. In the United States, the federal government's initiative (via P.L. 94-142, the Education for All Handicapped Children Act) is detailed, with attention paid to mainstreaming and the individualized education program. Positive and negative effects of the law are briefly summarized. A final section considers the creation of policy; compares the United Kingdom's approaches to policy formation with those of Italy, Norway, and the United States; and questions whether coordination of policy towards integration is desirable and possible in the United Kingdom. Suggested readings and activities are included throughout. (CL)

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The Open University
Educational Studies: A Second Level Course
Special Needs in Education

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The Open University
Educational Studies: A Second Level Course
E241 Special Needs in Education

Unit 10
National perspectives

Prepared by Tony Booth for the Course Team

The Open University Press

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Note: Pages 24–5 contain illustrations showing special education in the Third World and the USSR.

Note on reading

Set reading

The set readings for this unit are to be found in:

SWANN, W. (ed.) (1981) *The Practice of Special Education*, Oxford, Basil Blackwell/The Open University Press (the Reader). They are:

ABESON, A. and ZETTEL, J. 'The end of a quiet revolution: the United States Education for all Handicapped Children Act, 1975' (Reading 5.5).

WEATHERLEY, R. and LIPSKY, M. 'Street level bureaucrats and institutional innovation: implementing special education reform' (Reading 5.6).

The case studies you will be required to read can be found in:

BOOTH, T. and STATHAM, J. (1982) *The Nature of Special Education*, London, Croom Helm/The Open University Press. They are:

'Julie Lorraine: a teacher of mentally handicapped students in California' (Case study 24).

'Providing for handicapped children at J. T. Cobb' (Case study 47).

'Barry Marks: a Californian program specialist' (Case study 23).

Broadcasts

Television programme 5 is relevant to this unit, and you can find further details in the *Broadcast Notes*.

1 *Introduction*

1.1 This unit describes the attempts of three developed nations to initiate national policy for the integration and education of children with special needs. In examining the processes and effects of special educational reform and legislation in these countries, I hope to illuminate the likely effects of current legislation in the UK, and to consider the form that future legislation might take if a coherent attempt at integration is to be made. I will look at such implications in the final section of this unit.

1.2 When the educational wing of the Organization of Economic Co-operation and Development (OECD), which represents the developed nations, decided to embark on an educational project, they chose two common preoccupations of member countries: the integration of the handicapped and their progress into the labour market. I will be drawing on some of the material they collected.

1.3 I have selected Norway, Italy and the US for special examination and have done so for a number of reasons. Since the early seventies educators in the UK have travelled to Scandinavia to witness the effects of changing attitudes there towards the integration of the handicapped into society. They went to different places for different durations, but most returned with a similar story, that handicapped children were being brought into the ordinary education system on a fairly wide scale. The reaction of such visitors is typified by the title of Elizabeth Anderson's report of her visit to Scandinavia, *Making Ordinary Schools Special* (1971). The difference in attitude was also brought home to me when I looked at the initial school placement of children handicapped by thalidomide: the overwhelming majority in Sweden went straight into ordinary schools (Lundstrom, 1974).

1.4 There is no space here to look at all the countries in Scandinavia, but a good introduction and comparison of special education in Norway, Denmark and Sweden is provided by Carol Goodwin (1979). I chose to concentrate on Norway, partly because developments there are less well known than those in Sweden or Denmark, but also because I was impressed by the explicit links that are made there between integration and comprehensive education.

1.5 I chose Italy because legislation there specifies that handicapped children should be placed in ordinary classrooms, and it provides an important example of the impact of special educational legislation on practice. I will attempt to describe, in section 3, the outcome of the legislation, simple in its demands but far-reaching in its consequences.

1.6 Important and controversial legislation has also been enacted in the US. Its detailed demands are in marked contrast to the relatively few basic requirements of Italian legislation, and its effects reflect this difference. Of course, Norway, Italy, and the US are subject to considerable regional variation in the level and form of provision, and in politics and culture. It is inevitable that I can document only a few of the variations in the countries I examine.

1.7 The US is a mine of information, written in English, on special education and special educational reform. In fact one of the leading American journal editors bemoaned the fact that there were now more books on special education appearing daily in the US than there were new readers being born. This availability of material has determined the balance of the unit. The American section is by far the largest, followed by Italy and then Norway. The two reader articles and three case studies also describe the American scene.

1.8 In thinking of the implications for the UK of practice in other countries, it is as well to bear in mind the differing cultural traditions and administrative systems within Britain. Northern Ireland, Scotland, England and Wales have considerable administrative differences. In terms of its size and degree of central administrative control, Norway appears to be closer to Scotland than to England and Wales.

2 *Reforming comprehensive schools in Norway*

2.1 In Norway, the integration of handicapped children into ordinary schools is seen as an extension of reforms that have been taking place in its comprehensive schools since they were established in 1920. The government has continually re-evaluated their structure and curricula, making it inevitable that the exclusion of some children from them should be questioned, and that such questioning should be widespread. To Norwegians, 'comprehensive schooling' refers to much more than school buildings. The organization of teaching groups, the content of the curriculum and methods of teaching are specified in nationally produced guidelines known as the Mønsterplan. Norway developed comprehensive schools with the conscious aim of reducing social inequalities and this aim continues to promote reform. The domination of school life by examinations intended to sort and select pupils for their future status and employment has been questioned and considerably curtailed.

2.2 In the following brief account of the changes in Norway, I have relied heavily on the views and reports of Professor Lise Vislie of the Institute of Educational Research in Oslo (Vislie, 1978, 1981a; Saebø and Vislie, 1980). She contrasted the approach in many countries where 'policies for integration are mainly referring to policies for the handicapped' with the situation in Norway where integration 'means linking up reforms in this field with the reforms taking place in the total system'. In fact the same term, 'integration', is used to refer to the ending of divisions between rural and urban schools, primary and secondary, academic and vocational education. After sketching the background, I shall discuss the changing nature of Norwegian comprehensive schools and then look at the way handicapped children have been introduced to them. I will end this section by considering the limits to the Norwegian reforms.

2.3 Norway still has a primarily rural population; 45 per cent of the population are in towns, compared to 75 per cent in the UK, or 80 per cent in Sweden. It contains four million people in an area of 125,000 square miles and has a population density of 32 per square mile. (The UK has a population density of 591 per square mile, with its 56 million people in a territory of 94,500 square miles.) Most people live in the southern area. The north has always fared badly in terms of educational provision and services and there are efforts to correct this imbalance. Central government provides 45 per cent of the total expense for schools in Oslo compared to 75 per cent for new schools in the less prosperous north (Haywood, 1979). The recent oil wealth has permitted an increase in educational expenditure, and, unlike most other European countries, Norway has little unemployment.

2.4 There are three administrative tiers in the Norwegian education system. Higher education (post 19 years) is organized by central government, further education (for 16–19 year olds) is arranged at county level in the nineteen counties, and 'basic' education for the compulsory years of schooling (seven to sixteen years) is organized locally by the communes which may only contain one school.

How the comprehensive schools have changed

2.5 When comprehensive schools were introduced in 1920, they catered for children from seven to fourteen years. Classes were and have remained unstreamed. The leaving age was raised to 16 in the 1960s, and the Education Act of 1969 specified that class groups should remain together throughout their school careers.

2.6 At first these extended schools contained some banding in the last two years. But in 1967 a committee was set up 'to examine how to produce a unified and undifferentiated pattern of schooling over the whole nine years'. Their efforts culminated in the production of the Mønsterplan (model plan), the blueprint for work in the schools.

2.7 The latest edition of the Mønsterplan was produced in 1974. The first section is general and outlines the relationships between schooling and society and school and community, and stresses the importance of sexual equality. It discusses the general structure of the curriculum and teaching methods. It advocates mixed ability teaching which is to be individualized, although individualization does not imply that children should work alone. It specifies the number of hours to be devoted to each compulsory subject. English is compulsory for all children from ten years of age.

2.8 The second half of the Mønsterplan concentrates more specifically on what is taught. Roy Haywood outlined its contents:

> For each of the obligatory subjects there is usually a statement on aims, followed by sections on the meterial to be taught in each grade, a suggested plan of work for each year, and indications of appropriate methods of working, and technical aids, with a concluding section on assessment. A shorter section on obligatory topics (traffic-training, alcohol, drugs, tobacco, environment, careers, school councils, family life, consumer education, nutrition, first-aid, dental health, sex education) outlines the sort of approaches which may be useful to use at various stages. Then there is a very brief section on non-obligatory topics (drama, gardening and plant care). A section on optional subjects and topics such as extra languages, music, art, sport, office work, typing, technology, farming, etc., comes next. Finally, there is a brief list of the minimum standards of equipment for schools. Thus, the Norwegians have a written specification of the curriculum for the compulsory schooling period produced by the central government ministry, which is quite unlike anything *currently* in force in Britain.
>
> (Haywood, 1979, p. 128)

2.9 However, the Mønsterplan, seen in the Norwegian context, actually represents a break from a more rigidly controlled curriculum. The freer style of education indicated by the guidelines was not greeted with universal enthusiasm. Some teachers in secondary schools resented the extension of mixed ability groupings to the last two years of compulsory schooling, feeling that it 'de-skilled' them.

2.10 Two other tendencies have begun to affect radically the approach to comprehensive education in Norway. Most students stay on after the compulsory period of education, and places are available for all who wish to do so. In fact there is active encouragement to increase the proportion further, partly as an insurance against youth unemployment. This trend added fuel to the questioning of the system of assessment in school. In 1972 examinations and all formal grading of pupils were abolished for pupils up to 14 years. There have been subsequent attempts, led by the Ministry of Education, to extend this throughout compulsory school years. The reformers hoped to remove the curriculum's straitjacket, the examination syllabus, and to stop schools and individual pupils being judged primarily on examination success. Some of the most vigorous objections to the reform have come from pupils and parents, but some teachers are also reluctant to lose this powerful system of reward and punishment, which they term '*ris bak speilet*', the cane behind the mirror (Haywood, 1979, pp. 128–9).

2.11 The recommendations of the Ministry of Education in 1974, and of an ensuing Royal Commission, have not been enforced. They were supported by the socialist party, but opposed by the conservative party who gained office in September 1981. Some schools have ended their examination systems 'on an experimental basis' but formal evaluation remains a feature of school life for the majority of 15 and 16 year olds.

2.12 The fact that, traditionally, Norwegian schools have a formalized curriculum does not mean that they are generally authoritarian. Every school has a school's council of pupil representatives, who 'discuss matters such as school rules, which text books should be used, suggestions about priorities in financial budgeting, the curriculum and the teaching' (Haywood, 1979, p. 137).

Bringing in the handicapped

2.13 The emphasis on teaching in mixed ability classes has eased the introduction of handicapped pupils and the provision of special education for those already in the ordinary schools. As in other European countries, the interest in integration has followed a growth of separate special schooling. In Norway the Education Act of 1889 formally excluded handicapped children from education. After this period there was a small amount of provision in state boarding schools, but it was not until the 1951 Education Act that special schooling became official policy.

2.14 The new schools were accorded a high degree of positive discrimination: class sizes could be as low as five or six, and they had three to four times more spent on them than on ordinary schools. Most of the new schools were also boarding schools and many felt that this separated children unnecessarily from their families. In 1967, Parliament

imposed a brake on special school expansion with the directive that 'the child should to a great extent be allowed to live in his natural environment, and not be required to move out, unless it is considered to be an absolute necessity' (Vislie, 1978, p. 6).

2.15 The special and ordinary systems were brought together with the Education Act of 1969, and the regulations applying to handicapped children were implemented in January 1976. The responsibility for many special schools was transferred to the communes though a few remained under state authority. Lise Vislie summarized the new approach to evaluating the needs of the handicapped, which was to be based on a reassessment of their needs uncluttered by traditional views of placement:

> When special educational arrangements are to be offered to a particular child, the decision has to be based upon a total evaluation of what kind of provisions will best serve the child. It is therefore necessary to ascertain that neither economic nor any other outside factor—as for instance traditional forms of making special arrangements for the handicapped—is favouring a particular solution in each individual case. It is however assumed that an increasing proportion of handicapped children will gradually be integrated into the regular schools and classes. *A policy of gradual integration* has been formulated and is continuously sustained by Parliament, although the tempo of this process of integration is hotly discussed.
>
> (Vislie, 1978, p. 13; my italics)

2.16 Table 1 indicates where handicapped children were educated in October 1979.

Table 1 Pupils educated outside ordinary classes, 1 October 1979.

	Total school population	Special schools, medical and social institutions		Special classes		Total special education population	
		No.	%	No.	%	No.	%
Norway (excluding Oslo)	598 000	5205	0·87	1182	0·19	6587	1·06
Oslo	41 000	629	1·56	120	0·29	749	1·80

Source: Saebø and Vislie, 1980, p. 7.

2.17 Although the percentage of the school population in special schools is relatively low in Norway as a whole, in Oslo it is higher than the average for England and Wales (about 1.4 per cent). As to special classes, there is a marked difference from the UK. The Norwegian figures indicate that the overwhelming proportion of students with special needs are in ordinary mixed ability classes.

Extending teaching methods and content

2.18 The traditional form of special education in special schools or classes was *individualized instruction* of a core curriculum, stressing Norwegian and mathematics. Little attention was paid to the educational benefits of group work, and at first the special teachers reproduced this approach when they moved into ordinary schools. They worked with individual children, isolated from their colleagues, and were regarded by themselves and by their colleagues as experts.

2.19 But, particularly in Oslo, more co-operative methods of working were being tried. Advisory teams set up programmes of in-service education which emphasized the value of flexible small group work within mixed ability classes. Some schools have developed teacher teams of four teachers assigned to three classes, sometimes supported by additional specialist teachers or teacher aides. Such groupings have gone hand-in-hand with an increased emphasis on projects undertaken by individuals and groups, which challenges the present level of curriculum control.

2.20 The growth of flexible teaching groups is reflected in funding. A proportion of total funds is provided for such groupings in primary and secondary schools. A considerable sum of money has been set aside for in-service training, and all teachers are given a week's planning time in the 38 weeks of the teaching year.

Funding integration

2.21 The amalgamation of special and ordinary education met with resistance couched in familiar terms: 'Both the handicapped's own organizations as well as the teachers' organizations have accused the Ministry of wanting to integrate the handicapped into regular schools to cut down on the cost of special education.' In fact the Norwegians have introduced a complex set of funding arrangements to safeguard provision for the handicapped. The communes are reimbursed for 'all the extra costs connected with organising provisions for handicapped pupils *beyond the average cost of a normal child*' (Vislie, 1978, p. 12). The basic number of teaching hours is specified for children at each age level. To this is added an amount for special education equivalent to ten per cent of the total resources. This is known as the A fund. Additional sums of money for use for identified handicapped children can be obtained from the county administration following an assessment by a member of the local educational psychology centre which specifies the extra provision required. These funds, known as the B funds, are then reimbursed by central government. Although such procedures are a financial safeguard for the handicapped, they do induce teachers to differentiate between normal and handicapped children. It is envisaged that, at some point during the gradual integration now happening, such separate categories and funding will no longer be necessary. That will be the point at which schools share out resources naturally, according to need.

The educational psychology service centres

2.22 The 1969 and 1975 Acts set up educational psychology (EP) centres, to be staffed by clinical and educational psychologists, school counsellors and social workers, special education teachers, physiotherapists and pre-school teachers, and intended to ease the impact of reforms on schools. The personnel were given the functions of gate-keepers to the B funds, advisers on adapting classroom education to the special interests of pupils, and deliverers of services. In practice, the centres are predominantly staffed by psychologists, many of whom have found it difficult to adapt to the new demands made on them. Previously, teachers had sought psychologists' advice when they 'wanted an expert to take care of a difficult pupil, preferably by sending him to a special school'. In implementing integration, teachers need support from professional with 'a solid knowledge of teaching', who can advise them on group methods and individual curricula (Vislie, 1978, p. 47). The reforms in special education have been a direct challenge to the expertise of these professionals, and many have found it difficult to find a new professional role in which their training and expertise are appropriate.

2.23 In an attempt to ensure that the schools and support services attend to the needs of families as well as teachers, the Norwegians have established control commission boards in each county where committees, consisting of parents, lawyers and educators, watch over provision for the mentally handicapped and make representations to the county when there is cause for complaint. A parent who sits on one of the boards described their contribution as potentially positive, though in danger at times of becoming 'tokenism' because of their lack of resources and power.

The limits to progress

2.24 The progress which the Norwegians have made along the path of integration appears impressive, particularly in the way they have reflected on the adaptation and reorganization of comprehensive schools. They have brought many children from boarding schools into closer proximity to their communities, but, according to one visitor, the total number of children in special schools has remained stable for the last few years (Hegarty, 1978). The proportion of children educated outside ordinary classes is far lower than in the UK, though it prompts one to ask why almost one per cent is still excluded when similarly handicapped children can be successfully educated in ordinary schools and classrooms. The debate over the future of special schools echoes that in the UK, and has divided along party lines. The conservative party supports the retention of special schools and the concentration of resources on them. The labour party argues for the distribution of the funds available to special schools to the communes for local development of special education.

2.25 The retention of special schools may limit integration, but there are other obstacles which only become apparent after some progress has been achieved. If integration requires differentiated teaching, in which both the level and the content of the curriculum varies according to individual needs and interests, then central curriculum control would have to cease in Norway. Control of the curriculum is closely linked to what education is seen to be for and to assessment in schools. While schools retain examination success as their principle goal, the curriculum cannot respond to the needs and interests of individuals.

2.26 Lise Vislie argues that 'integration can be seen as a political process with many steps'. While many people agree that some handicapped pupils should move into ordinary schools, fewer see this as part of a wider process through which all children will achieve greater control over their schooling. It is at this point, where integration is interpreted as 'a policy for more equality', that Lise Vislie sees 'strong political interests' being aroused. When 'equality' refers to the rights of handicapped pupils to schooling or opportunities for pupils inside schools, then it can be accommodated within existing power structures. If 'equality' refers to an equality of educational achievement, then it can be dismissed as political rhetoric which no one expects to be realized in practice. But the involvement of the handicapped in a movement towards greater equality can challenge the existing order when it draws attention to inequalities in pupils and resources beyond the control of schools, and the criteria against which equality of opportunity is measured. If education is to be fair to handicapped pupils, the criteria for success in education have to be changed. True equality of opportunity may depend on disadvantaged and non-disadvantaged groups having equal power to determine the criteria for social success. The limits to integration is an issue to which I will return in Unit 14.

The nature of reform in Norway

2.27 Integration in Norwegian education has been described as 'a centralized reform which has decentralization as its goal' (Vislie, 1981a). It is part of a developing philosophy of comprehensive education initiated with the comprehensive seven-year school in 1920. There is considerable effort to achieve a consensus before Parliament acts.

> One gains the impression that nothing is put to the vote before the essential bargaining process has been carried very far. In return all groups conform to the universally accepted convention not to commit themselves irreversibly before the Störting [the Norwegian Parliament] has voted and then to abide by the Störting's decision.
>
> (OECD Examiners Report, quoted in Vislie, 1981a, p. 133)

2.28 Reform, then, is recorded by Parliament rather than initiated by it, but reform is possible because what is decided and recorded centrally is actually carried out in the counties and communes. However, if the current reforms result in a high degree of decentralization, then the Norwegians may have to look for other models of change in the future.

3 *Integration Italian style*

3.1 At a conference organized by the OECD, Nora Ferro described the legal changes in Italy which had brought handicapped children out of institutions and special schools into the ordinary classroom. She attempted to distinguish the Italian and Norwegian approaches to integration: 'In Norway they stretched the system in order to find a place for the handicapped inside the system. In Italy we brought the handicapped into the system so that the system had to stretch itself' (Ferro, 1981a). The Italian education authorities have been accused of irresponsibility, but they relied on an important feature of the Italian scene. The integration of handicapped children in education and in work was

part of a popular movement, widely supported by the teaching profession, by the community, and by trade unions. In this section I attempt to provide a glimpse of the Italian economic and political context and to describe briefly the Italian education system, before I illustrate and evaluate the changes involving the education of handicapped children. Anyone who wishes to dig deeper into the intricacies of the Italian educational system should follow up the references.

The context of change

3.2 Compared to Norway, where the issues in education are recognizably similar to those in the UK, the system and mechanisms for change in Italy are much more difficult to grasp. Both Norway and Italy are said to have highly centralized administrative structures. Yet in Italy this has not automatically lead to centralized control, for there appear to be only weak administrative connections between Rome and the regions. Moreover, the Italian civil service is said to be notorious for its inertia, its *immobilismo:*

> Post-war Italian politics, dominated throughout the life of the present Republic by the Christian Democrat party, have been characterized by a deliberate policy of *immobilismo*, or promoting as little significant legislation as possible while paying lip service to the need for change, which is the inevitable product of the nature and composition of the Christian Democrat (DC) party. The DC can be briefly described as encompassing a variety of political opinions which range in British terms from right-wing Labour to right-wing Conservative. The restrictive effect on policy formulation of a party with no internal political coherence is increased by the commitment of its members to the Catholic religion and their consequent reluctance to promote any change which might damage the interests of the Catholic church in Italy. Since the birth of the Republic in 1948, the Christian Democrat Party has been united in only one aim, that of staying in power, and the rewards that filter in both directions to political leaders and rank and file supporters from the Party's manipulation of the clientelistic system (a system whereby jobs at all levels are handed out in return for political support) have ensured that its supporters and representatives in Parliament have had considerable personal interest in supporting this aim, even though there was little internal agreement on other policies.
>
> (Steedman, 1979, p. 71)

3.3 Yet if observers such as Steedman had painted a true picture of an immobilized Italian administration, then the changes in secondary education, the development of community control of education, as well as the moves to integration which are the subject of this section, could never have been able to take place. The Communist Party has considerable support and controls some regional councils, which ensures diversity of development as well as providing a force for change, and the administration can react to such pressures:

> Despite daily political and buresucratic paralysis, the Italian administration can react with remarkable agility in response to immediate crises in order temporarily to alleviate current pressures. Thus demands for 'participation' were elaborated by a commission in a few months and voted through the Parliament and the Senate 'in the record time of scarcely a year'.
>
> (Pridham, 1978, p. 224)

3.4 Pressure for change in the health and education services has also come from the Italian trade union movement, which takes a very broad interest in social change. In 1975 the union of hospital workers called for an end to 'capitalist medicine', with its spiral of ever-increasing consumption, and urged a redirection towards preventive medicine. Several teachers have mentioned to me the realignment of political power which followed the 'cultural revolution' of 1968, after which unions called for greater decentralization of power, more community participation and increased equality of opportunity. In April 1973, the Federation of Metal Workers obtained a new contract which entitled them to use 150 hours in each three year period to resume their interrupted schooling (Borghi, 1980). But perhaps the most impressive union activity has been their support for bringing handicapped people into the labour market. In some cases, workers were called out on strike in support of this aim (Posternak, 1979).

3.5 The contradictions in Italian politics and education are more visible than in many other countries, and may have led to misjudgement of the forces for change. The centralized administration which developed in part to counter economic disparities between regions has done little to overcome them. Italy continues to be divided between the relatively affluent north and the impoverished south, regions separated by differences of dialect and high levels of prejudice:

> In the southern major towns there are problems of overcrowding, such as notably on the housing estates just outside Rome, and of unemployment, which is up to double the national average in Naples. Naples too has a quarter of the country's jobless under the age of 25, while those who are employed receive wages half of those paid in Milan . . .
>
> Many families in the poor, predominantly rural, areas of the south have never placed a major value on education. Though the proportion is declining some of their children never attend school as they are required by their parents to work in the fields or bars. Others leave at the age of 11, while the truancy rate is as high as 50 per cent in certain areas. With no effective inspection system, and the difficulties of tracing children particularly in the remote areas, there is little that can be done about the situation. There are even cases of children being sold for cheap labour in order to provide some income for a poverty-stricken household. In Altamula in the 'heel' of Italy, there is an annual 'market of the short trousers' of able bodied boys.
>
> (Pridham, 1978, p. 230)

3.6 Calm understanding of Italy's contradictions and diversity is not helped by the disparaging approach some commentators take towards the Italians, inspired in part by images of mafia barons: 'The Italian temperament is such that a new idea . . . is greeted at first with much enthusiasm, expressed by an intense and passionate verbal dedication. However, there is often lacking the skill, desire, the depth of commitment or sufficient maintenance of enthusiasm to follow them through' (Pridham, 1978, p. 225). *The Economist* (1 April 1978) referred to the state of the Italian teaching profession in the following tones:

> There are more than one million teachers in Italy today, of which 200,000 exist just to step into the shoes of those who fail to show up for work. The teaching profession itself has become a government-subsidized parking lot for people educated in academic subjects.

3.7 The problem of understanding the Italian system of education is exacerbated by its being in constant flux. Since 1970, regional administrations have begun to take greater responsibility for schools, as well as for public welfare, health, and vocational training. They in turn can delegate powers to the provinces and town councils (Ferro, 1981b).

Educational provision

3.8 One of the most striking features of Italian education is the low level of educational spending, particularly on school buildings. The Ministry of Education has had responsibility only for items of recurrent expenditure: staffing and educational materials. School buildings were the responsibility of the Ministry of Public Works, and there is an acute shortage of school places. In one southern town a primary school is housed in two bars. Schooling is provided, usually, for half a day only, and in a few places there are two or even three shifts in the same building. Until the reorganization of upper secondary education in 1979, primary school teachers were trained in upper secondary schools and obtained their teaching certificates at the age of 18, which contributed to the general low status of the Italian teaching profession.

3.9 Compulsory education begins at six and ends at fifteen. Figures 1 and 2 depict the main stages and divisions in Italian education before and after 1979. Before 1962, secondary education was selective, but in that year a nationwide system of comprehensive education in mixed ability classes was introduced for the 11–14 age group in the *scuola media unica*. However, although the classes were supposed to be mixed ability, remedial classes grew considerably after the introduction of the comprehensive middle school.

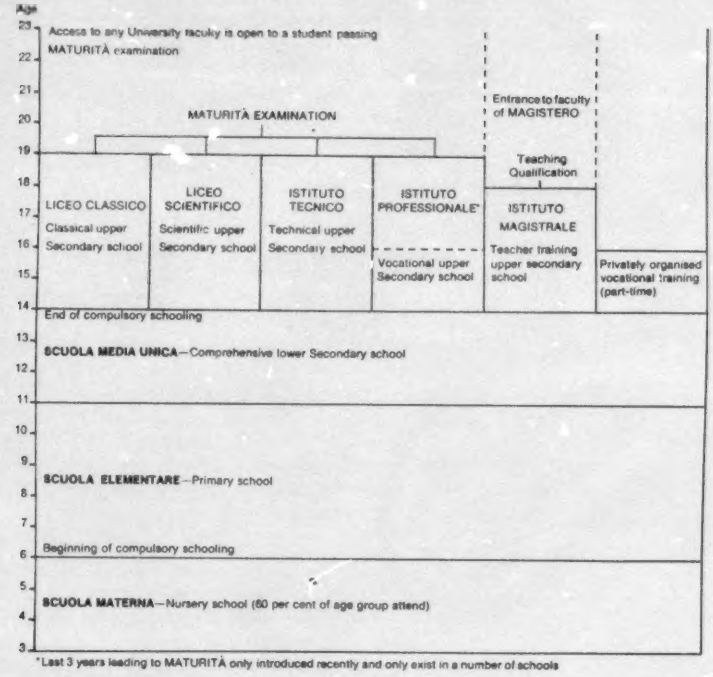

Age
Access to any University faculty is open to a student passing MATURITÀ examination
MATURITÀ EXAMINATION
Entrance to faculty of MAGISTERO
Teaching Qualification
LICEO CLASSICO
Classical upper Secondary school
LICEO SCIENTIFICO
Scientific upper Secondary school
ISTITUTO TECNICO
Technical upper Secondary school
ISTITUTO PROFESSIONALE*
Vocational upper Secondary school
ISTITUTO MAGISTRALE
Teacher training upper secondary school
Privately organised vocational training (part-time)
End of compulsory schooling
SCUOLA MEDIA UNICA—Comprehensive lower Secondary school
SCUOLA ELEMENTARE—Primary school
Beginning of compulsory schooling
SCUOLA MATERNA—Nursery school (60 per cent of age group attend)
*Last 3 years leading to MATURITÀ only introduced recently and only exist in a number of schools

Figure 1 Educational provision in Italy before 1979.

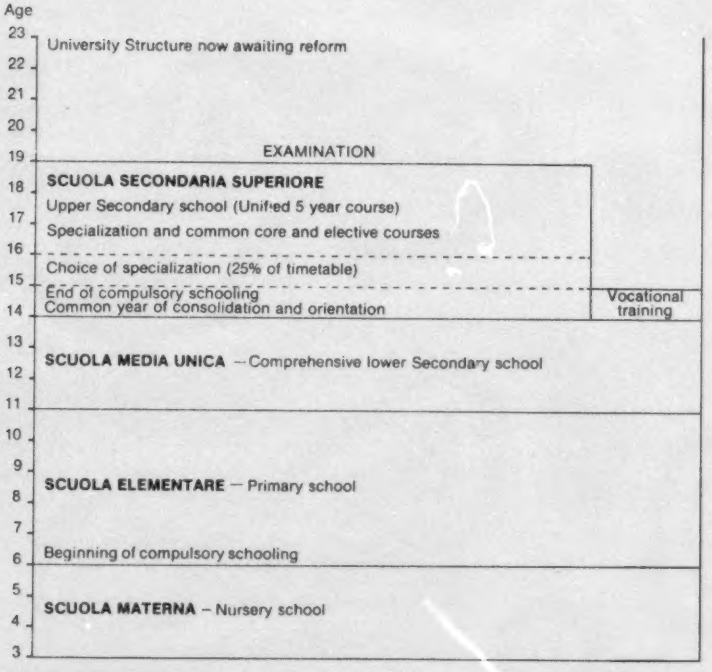

Age
University Structure now awaiting reform
EXAMINATION
SCUOLA SECONDARIA SUPERIORE
Upper Secondary school (Unified 5 year course)
Specialization and common core and elective courses
Choice of specialization (25% of timetable)
End of compulsory schooling
Common year of consolidation and orientation
Vocational training
SCUOLA MEDIA UNICA – Comprehensive lower Secondary school
SCUOLA ELEMENTARE – Primary school
Beginning of compulsory schooling
SCUOLA MATERNA – Nursery school

Figure 2 Educational provision in Italy after 1979.

In 1963, there were 412 special classes in lower secondary schools and 3,350 special classes in elementary schools. In 1970, there were 8,604 special classes in secondary schools and 12,075 special classes in elementary schools (Ferro, 1981b). After the reorganization of 1979, the school leaving age was raised to fifteen and the comprehensive school age range was extended to 19. Italy at that time had more 17 year olds in school than the UK or West Germany. If Italian education is reputed to be characterized by *immobilismo*, one wonders what epithet observers would apply to the UK's slow drift towards comprehensivization.

3.10 Class sizes, as in Norway, are smaller than in the UK, with a maximum class size of 25. In addition, Italian schools employ *bidelli*, whose job is a mixture of ancillary helper and caretaker, with one employed for every six classes. Most children attend school for 25 hours a week spread over six days, though there is a slowly increasing tendency to 'full-time' school of 36 hours a week which has been prompted by curriculum reappraisal as well as by the needs of the handicapped. In Nora Ferro's study, 35 per cent of the schools were full time or had full-time classes. Such schools submit a yearly plan for the approval of the local school authorities and provision is made in the timetable for weekly planning meetings. In the UK, music, drama, games and art and craft have been an accepted part of the school curriculum for a considerable time, but such 'extra-curricular' activities are a recent innovation in Italy. They have been introduced in conjunction with an extended school day in a novel way, as they are run by professional dancers, singers, musicians and artists rather than teachers.

3.11 There is a single head teacher for each secondary school and one for a group of three to four elementary schools. The reorganization of the upper secondary school coincided with a reform of the assessment systems in Italian schools. Until 1978, children were rated at the end of the school year on a ten-point scale. If they achieved a mark of six or more (*sufficiente*), they proceeded to the next grade. These marks have now been replaced by informal profiles, and the rigidity of transfer between years has been abolished.

3.12 Streamed classes have also been ended for the compulsory school years, and flexible groupings are being tried out, based on interest and need for part of the school day. The Italians refer to this as the 'open-class system'.

Bringing in the handicapped

3.13 Comprehensive middle schools were introduced at the start of a decade of special educational expansion in Italy. From 1962 to 1971, the Ministry of Education issued ten ministerial circulars aimed at creating and maintaining special institutions and specialized teaching for the handicapped. At the same time, however, a head of steam for integration was being generated by a number of sources. As in the UK, the voluntary societies and parents' associations played an important part. Before 1971, the Italian Spastics Society was actually responsible for the special education of most cerebrally palsied children, yet it continued to campaign for their integration into the public system. In 1960, the Italian Society for the Rehabilitation of the Disabled called for a bill of rights for the handicapped which would recognize their right to an education within their communities. But the drive to integration in Italy can be best understood, perhaps, as part of a social and political movement concerned for all deviant and vulnerable groups and opposed to the exploitation of one class by another. The debate has been far more widespread, open and popular than in other countries, and has frequently featured on the front pages of national newspapers. Teachers to whom I have spoken related a change in attitude to the handicapped to the 'cultural revolution' of 1968, which brought sweeping changes to the universities as well as to the system of secondary education. Previously, social class had determined who got what type of schooling, which, for some, meant they were on a conveyor belt to university.

3.14 Pressure to integrate the handicapped in education was accompanied by moves to bring them into employment, and to deinstitutionalize the mentally ill. Franco Basaglia's central concern has been with returning the mentally ill to the community, and he is regarded as one of the founders of the integration movement in Italy. In 'Breaking the circuit of control' (Basaglia, 1981), he described the closure of a psychiatric hospital in

Trieste and its replacement by community facilities. He described his aim in words which apply equally to other deviant or handicapped groups:

> When the mentally ill are no longer segregated—conceptually as well as spatially—we are forced to recognize their peculiarities and at the same time to discover our own: for 'normality' can be just as much a distortion as madness. Only if relationships with the sick person are maintained unbroken can his fellows continue to recognize him as one of them, and to identify their own needs with his.
>
> (Basaglia, 1981, p. 192)

3.15 The desire for change found expression in the National Act of 1971, which completely reversed the trend to provide education for handicapped children in special schools and classes: with a few exceptions, handicapped children were to be educated in ordinary classrooms. Article 28 of the Act established that:

> Compulsory education must take place *in regular classes*, in public schools except in those cases in which the subject suffers from severe intellectual deficiency or from physical handicaps so great as to impede or render very difficult the learning processes in the regular classroom.

The Act also demanded the elimination of architectural barriers to school attendance. While article 28 contains a let-out clause familiar to observers of legislation in the UK, it was the positive half of the clause that was taken up:

> Law 118, in spite of its ambiguities, provided a turning point and produced effects beyond most people's expectations. What happened was that the first part of article 28 stating that 'compulsory education must take place in normal class' was publicized and discussed for years. The second part, mentioning the exceptions, was vague enough to raise a lot of questions, such as, 'Who knows, before trying, when a disability is so severe as to prevent . . .?', 'What is the difference between difficult and extremely difficult?' . . . 'Difficult for whom?', and so on.
>
> (Ferro, 1981b, p. 7)

3.16 After 1971, legislation sought to regulate an 'increasing demand for integration'. A ministerial circular in 1975 stated that special education was to be administered by regular education administration, and that 'the severity of the disablement (mental or physical) cannot be a limitation to integration in a regular class as long as admission is possible and positive for the handicapped child'. It established support teams for each province whose role was to review the curriculum, to establish training courses and to disseminate information, and proposed that the education of handicapped children should become full time. The ministerial circular of 1976 said that integrated classes should have no more than 20 pupils, with a maximum of two handicapped children per class. A further circular in 1977 specified the additional support on which schools could draw: they could claim an extra special teacher for four severely handicapped or six mildly handicapped children. In 1977, an Act was passed which required the termination of all special classes.

The Italian meaning of integration

3.17 The Italians, then, in a series of laws and circulars specifically intended to integrate handicapped children, chose a particular location (the ordinary classroom), and appeared to provide the means by which they could participate in school life by providing support teachers and regional multi-professional support teams. For them integration was an all-or-nothing, rather than a continuing, process. It was not regarded as a form of special education, but rather its opposite:

> The teachers I met in Rome always asked: 'Do you integrate handicapped pupils in Norway?' The way the question was posed indicated that they expected a clear answer—either 'yes' or 'no'. I decided to say 'yes', but must admit that I would have preferred to say 'yes, but . . . !'—particularly after observing the situation in Italy for a while. To the Italians there is no third answer to this question, to cover any intermediate position. Either you integrate or you do not. In Italy they integrate . . .

> Integration in other countries means a particular way of organizing special education for the handicapped, where special education comes first and then integration. It seems to me that in Italy integration comes first . . .
>
> (Vislie, 1981b, pp. 101–109)

3.18 In Unit 1/2 I said that integration could be defined as a state (such as placement in an ordinary class), or a process—the *development* of the participation of a child in an ordinary school. The Italians define integration as a state in two ways—it refers to one particular place of education, but it also refers to a *state of mind* on the part of educators which represents a clear break from previous approaches. The Italians had not developed a system of segregated special education in which a sentimental approach to handicap was translated into a high degree of positive discrimination, and they see no need to introduce such a system when the handicapped are brought into the community: 'to give priority to the needs of the handicapped means to invite them to join the normal conditions of life, and share whatever standards of quality this life may have' (Vislie, 1981b, p. 108).

3.19 This rejection of special schools and the philosophy which supported them has led some Italian teachers to reject the notion that any relevant expertise was built up within them:

> The ordinary teachers do not seek the assistance of special school teachers, nor do they generally expect that the knowledge they may possess could be of any value in solving the problems of teaching in integrated classrooms.
>
> That regular classrooms and teaching should remain 'regular' after integration is of course a consistent part of the Italian philosophy. Too many extras would have been against this philosophy . . . and for this reason some people have even objected to the principle of having support teachers in the schools.
>
> (Vislie, 1981b, p. 117)

3.20 The commitment of some teachers to integration is illustrated by the case of a severely physically handicapped child in Rome who is educated in an ordinary class on the third floor of a school with no lifts (Vislie, 1981b). Such commitment is also shown by some who might well have had most to gain from a policy of segregation, but who are, instead, at the forefront of moves to end it:

> Professor Loperfido was the director of a newly built modern Medico-Pedagogical Institute for handicapped children and adolescents. The move to integrate was given impetus when, in 1969, he succeeded in closing down the institution and placing the children either in their own families or in foster homes, or in small residences of eight to ten persons. The severely handicapped were placed in rehabilitation units until 18 years of age. There is now a plan to create units for the severely handicapped within community centres.
>
> (Posternak, 1979, p. 45)

3.21 But perhaps the most distinctive aspect of Italian integration is the widespread support it has received from those not directly involved with handicapped children. On her visit to Italy, Lise Vislie noted that 'in most places the pressure is very strong'. In one district of Rome she attended a meeting of a 'voluntary organization committed to social welfare':

> It was a normal weekly meeting of a sub-group particularly devoted to the policy of integration . . . A group of parents had applied to the committee because legislation on handicapped children had not been implemented at their school. The group decided that representatives from the Comitato should make contact with the school and the teachers and convince or remind them of the rights of handicapped children to integration.
>
> (Vislie, 1981b)

Theory and practice

3.22 The Italians, then, are strong on rhetoric, but have there been widespread national moves to bring the handicapped into comprehensive schools *in practice?* The gap that still exists between the central administration and regions precludes any precise answer to that question, for national figures have not been collected. But Italian educators have

made a determined effort to ascertain the present position by summing local statistics, from which it appears that 80 per cent of the children who, in 1971, would have been in special schools or classes are now in ordinary classrooms (Ferro, 1981a). Nor does there seem to have been a corresponding flowering of separate special education under a new name—such as 'disruptive units'. In a country of such economic, cultural, religious and political diversity, it is hardly surprising that progress has been uneven or that reports differ depending on the region visited or the place of work of an informant. The laws about handicapped children were to be applied equally throughout Italy, in the underdeveloped southern areas and in cities starved of public investment such as Naples. They were to be implemented in districts such as Bologna, where a radical administration embraced the philosophy of integration as part of its political code, as well as in other regions where the very notion of such a political link would create resistence.

3.23 But there has been change. In Parma the spastics society ran a day centre for the physically handicapped. In 1968, 116 severely handicapped children attended the centre, but, by 1978, 106 of these were in ordinary classrooms. These included children with spina bifida, Down's Syndrome, autism, cerebral palsy, and multiply handicapped and profoundly retarded children. Lisle Vislie visited one school which had opened as a new special school in 1970 but became a neighbourhood primary school in 1976. Perhaps the most striking example of integration provided by Yvonne Posternak's report for the OECD is of the Handicap Centre in Cutrofiano in the Province of Lecce, an economically deprived area in the heel of Italy. (When I showed some northern Italian teachers this section of her report, they scoffed in disbelief that such development could be taking place in such a backward area, but I have been assured by others who have been there that it is accurate.) The centre was run as a residential institution for the physically handicapped by the spastics society, but now serves as a provincial centre of expertise for the promotion of the 'integration of all physically or mentally handicapped children into local schools, in ordinary classes'. The staff of the centre set out in 1970 to persuade teachers and parents to accept handicapped children in their communities. Only those schools and teachers who wished to take handicapped children were expected to do so. The centre now supplies some support to 144 schools, many of them small village schools, spread over the Lecce Province. The schools also draw on the help of support teachers (when they can get them), and Yvonne Posternak was extremely impressed with the flexible approach taken towards the education of the handicapped in the classrooms she visited there.

3.24 In a primary school in Rome, there was initial opposition to the inclusion of handicapped children.

> At first a number of reasons were given by the Director and some staff why integration was impossible; that the school was too old and traditional; that there was not the necessary equipment; that the teachers were untrained. But the integration debate was brought out into the open and a public discussion took place in which principals and staff of several schools in the district, politicians and members of the mental health department all participated. Following this public event it was decided that the school should try to integrate the same number of handicapped children as classes, and that one child would be arbitrarily assigned to each teacher. The first year was not easy, and some of the more difficult cases were in danger of being sent away from the school. At this stage, the work of the support team, especially the psychologists, was vital in achieving acceptance on the part of the teachers, the parents and the children themselves.
>
> (Posternak, 1979)

3.25 Most of the integrated children were mentally handicapped, and they were eight to fifteen years old. The teachers were uncertain about whether to attempt to match children to others of similar age where possible, or to move them on to different classes 'just like the others'. By the third year the children had been in ordinary classes their education had become fairly settled and their teachers spoke warmly of the contributions they made and the benefits they received by being with other children.

3.26 But there have been considerable problems. Whether these are seen to outweigh any benefits depends to a great extent on the value that is placed on the innovations in their context. Some of the difficulties arose as teething troubles for people plunged into an unfamiliar system:

> When we started integration we had lots of special teachers but they had not been prepared to teach handicapped pupils in ordinary schools. Handicap actually has a different meaning in special and ordinary schools. Some of the students had problems when they transferred; their handicap was magnified by the presence of 'normal' students and they 'acted out'. At first some of us thought that integration was a failure for them but as the other pupils began to accept them they relaxed. In this first period some of the special teachers had even greater problems than the handicapped pupils.
>
> (Ferro, 1981a)

3.27 One problem which shows few signs of resolution concerns the passage of the severely handicapped through the education system. They tend to be retained in primary schools with much younger children. Very few handicapped children have transferred to the upper secondary school. Implementation of full-time comprehensive education promised in legislation has been slow. This is a particular disadvantage for the handicapped because the full-time school can offer a more flexible and broader curriculum. Part-time schooling can cause a burden on families who were used to their handicapped children receiving full-day segregated care.

Support services

3.28 The reduction in the size of classes which include handicapped children has been an important and general consequence of the law. However, support teachers and support teams have not been provided everywhere. One teacher to whom I spoke arrived at school on the first day of the school year to discover that a deaf child had been included in her middle school classroom without any support.

3.29 In her research sample drawn from several different regions, Nora Ferro (1981b) found that 60 per cent of severely handicapped pupils had the assistance of suppport teachers, 13 per cent had ancillary helpers, and 28 per cent were visited by members of support teams. In fact, where support teachers and teams have been provided, they have met with a mixed reception from classroom teachers. Their expertise has been challenged, particularly in regard to the development of 'integrated teaching', and they have been seen sometimes as encouraging a tendency to 'medicalize' the problems of children. In all the countries I have studied, moves towards integration require a new view of professional support services which has yet to emerge. Whatever legislation demands, it is not possible to suddenly produce large numbers of a new breed of professionals.

3.30 There appears to be some confusion over the duties that support teachers are legally obliged to fulfil:

> According to a ministerial circular the support teachers are assigned to the classrooms, not individually to the handicapped children. The *provveditorato* for Rome had, however, presented a circular to the schools ordering support teachers to take handicapped children out of the classroom, thereby forbidding the practice of having teachers and support teachers in the classrooms at the same time. The school union had taken a strong position against this, and a new circular was expected to come from the *provveditorato*. From what I observed, some schools in Rome practiced co-teaching, others let the support teachers take the handicapped pupils out of the classroom.
>
> (Vislie, 1981, p. 112)

3.31 Evidently the teachers' unions have recently begun to urge the Ministry to base the allocation of support teachers on the needs of an area rather than individual pupils. If such a move is accepted, then the needs of the handicapped and others requiring support will still be protected without any requirement for official designation.

3.32 Sylvia Pozzan worked as a support teacher for a blind child in a middle school and she described to me some of the problems which faced class teachers and support teachers in integrating handicapped students:

1 Class teachers felt insecure and unprepared for their new role particularly with the profoundly handicapped or autistic children.

2 Support teachers, although trained teachers, often had minimal additional

qualifications or experience of handicap and this meant that the special needs of handicapped children might be unmet.

3 Support teachers were placed on a lower salary and only employed for the school year October–June.

4 The activities of support teachers could have a segregating effect if they:

(a) taught a distinct curriculum;
(b) failed to work with other children besides their immediate charge;
(c) taught the handicapped child outside their classroom.

(Pozzan, personal communication)

Transfer to work

3.33 As I have mentioned, the Italian labour unions have given full support to the inclusion of the handicapped in open employment, and this is clearly a key area for judging the Italian innovations. As far as I can tell, the attempts to provide the handicapped with an equal opportunity for employment in Scandinavia have not succeeded, but there are some striking examples of such progress in Italy. Parma may provide the best example of a co-ordinated attempt to give the handicapped the right to work. In 1979, there were 200 handicapped young people at work in industry in Parma. They are trained on the job rather than in a school or training centre, which is regarded as an irrelevant preparation. If they make sufficient progress, after a two-year apprenticeship paid for by the Mental Health Department, or even earlier, they may become part of the permanent workforce. Jobs done by the handicapped include loading trucks, making cartons, welding, and working in hospitals, banks or shops. Yvonne Posternak cited the examples of two men with Down's Syndrome:

> Ormer Barci, a young Down's Syndrome man, came from a sheltered workshop in a special institution, was inactive and hardly ever spoke a word. He now works on a welding machine in a private metallurgical factory that has 80 workers (two of whom are handicapped) and has shown considerable progress since he has been accorded responsibility. Welding is not his only function: he can change jobs when he wants. Sometimes he works with others, sometimes alone. He is well accepted by his fellow workers and has made friends with whom he goes to football games. He is paid It. L 500,000 a month.
>
> Our second example is of a severely handicapped Down's Syndrome young man who was first in one of the special units for the severely handicapped and then was placed in a public company to get work training. He now makes cartons in a glass factory (1,000 workers, five of whom are handicapped). At the start it was necessary to accompany him everywhere, but he is now acquiring slight autonomy and can call some of his fellow workers by name.
>
> (Posternak, 1979)

3.34 Problems of prejudice against the handicapped were largely dispelled by the 'reality of working with them'. Over-dependence on just one other worker was a greater potential hazard, and sometimes groups of fellow workers had consciously to try to share responsibility for a handicapped colleague.

Concluding remarks

3.35 The shortage of support teachers and support teams has prevented the inclusion of handicapped children in comprehensive schools in some areas and has limited the development of integrated teaching in others. The lack of local administrative and advisory services has not facilitated communication and the sharing of good practice among schools. In common with some other countries, including the UK, the organizational features of integration have been elaborated more carefully than the curriculum and teaching philosophy that follows from it. The first aim of Italian integration was to get the handicapped children into ordinary classrooms, a phase referred to by Nora Ferro as 'parking'. Gradually parking was transformed into socialization, and then teachers began to devise methods for including handicapped pupils in classroom activities. Legislation reflected and initiated this sequence:

> The focus has gradually swung from disabilities to specialist services and finally to didactics, pedagogies and school organisation. If we could have started from this premise, perhaps some of the problems would have been avoided.
>
> (Ferro, 1981b, p. 59)

3.36 None of the teachers to whom I spoke regarded integration as a misguided idea, but they had reservations about the rigidity of legislation and the lack of preparation for its implementation. One of them from a rural area of the Veneto Province told me, 'It's worse for the handicapped now than it was before, they just don't get the attention, some of us think now that the legislation hasn't been a good thing.'

3.37 In 1979, I read an Italian newspaper article stressing the advantage of the special class in some circumstances. Perhaps the Italians could use the American idea of the resource room, particularly if they wish to make a success of integration throughout the secondary schools.

3.38 My overall impression is that there are definite areas of excellent practice and provision, but greater flexibility is needed and planning is often non-existent. The most striking features of the Italian movement are its philosophical, political and popular strength and the way the rehabilitation of the handicapped in work, education and the community is viewed as a unity and related to the needs of other vulnerable groups.

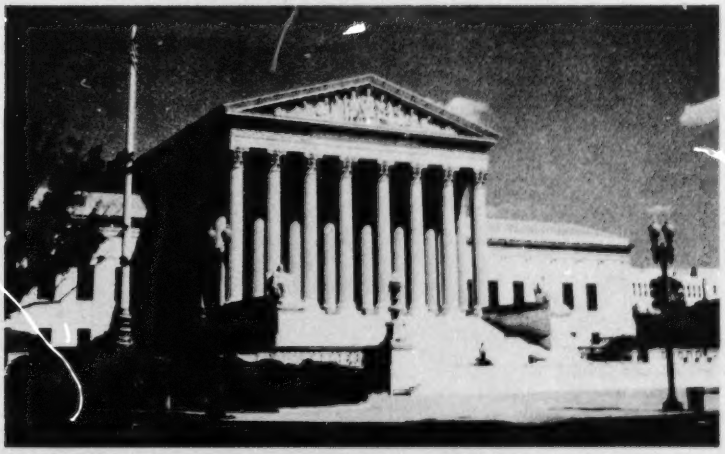
4 *America: the federal takeover*

4.1 In discussing the changes in special education in Norway, I described the careful meshing that is achieved there between reforming tendencies and legislation. In examining Italian practice we saw a stark attempt to implement reform by means of legislation. While both the Norwegian and Italian educational systems have been described as highly centralized, there are considerable differences between them in the degree and efficiency of the administrative connections between centre and periphery. Italian legislation might be seen as an attempt to bridge this gap. In contrast to these countries, the US has had a history of carefully guarded local autonomy in education. But one feature of its system has pushed the Americans along the Italian route to reform. For, in the US, it is possible to initiate national educational policy through the courts. The US constitution sets out the rights of its citizens, who bring infringements to the courts, and even trivial infringements can be the subject of litigation. For example, in 1969 the Court of Alabama ruled: 'Some undefined fear or apprehension of disturbance if they did not require the boys . . . to keep their hair cut . . . is not enough to overcome the constitutional right of the plaintiff'. The actions of the courts in defence of the rights of handicapped American citizens under the constitution has culminated in a series of federal laws to regulate and transform special education practice throughout the US.

4.2 These laws, of which the most important were section 504 of Public Law (PL) 93–112 and PL 94–142, were preceded by legislation in a number of states such as Massachussetts, which had a similar purpose, that of bringing all handicapped children into education and of creating a curriculum which would meet their individual needs in the least restrictive environment. The federal legislators wanted to accelerate reforms that were already underway in some states. In this section, I will be concerned both with the underlying reforms and the effects of law upon them. The American laws are very much more comprehensive and detailed than those of Norway and Italy, and give parents of handicapped children the power to force their implementation through the courts. Section 504 of PL 93–112 had stated that all public institutions must be open to handicapped people, and PL 94–142 spelled out the implications of this for schools and defined appropriate special education. It is with PL 94–112 that I shall be most concerned in this section.

4.3 Lawmaking is a complicated amalgam of legal precedent, soundings and lobbyings, and the law which results may well have no coherent philosophy. As a result, people may welcome some parts of the law while opposing others vigorously. Some have disagreed with PL 94–142's emphasis on mainstreaming, including some who think that there is little point in bringing profoundly handicapped young people into the education system at

Handicapped people take their protest . . .
. . . to court.



all. Others have expressed broad agreement with the reforming intention of the law, while deploring its heavy-handedness. But its passage was regarded as a victory by a body of 'liberal' opinion in special education, and it was subsequently propounded with excitement sometimes amounting to messianic fervour. PL 94–142 was passed in 1975, to be implemented in stages from 1978 to 1980, and it provoked a flurry of publications explaining to teachers and others how to comply with its regulations.

4.4 While I was writing this unit, Ronald Reagan became President of the US. For a time it looked as if PL 94–142 would be erased from the statute books because the Reagan administration opposed the levels of government interference and public spending it entailed. The law was reprieved, but the funds which were previously available solely for special education can now be used for a wider range of purposes by individual states. In addition, Vice-President Bush was given the task of examining the federal regulations accompanying the law to see if they had financial implications beyond those specified in the law itself. At any rate, it looks as if the fears expressed by some Americans that the 'federal takeover' of special education was the beginning of the end of official state autonomy in the rest of the education system will not be realized at present. However, fears of a federal takeover may obscure the real revolutionary force, which has been created in the courts.

4.5 Whether regulations emerge from the courts or from federal or state legislation, their effect depend on the people who have the job to implement them. Below the federal level there are three tiers of educational administration: state, county and school district. At each level there are huge differences in size, culture, resources and geography. The smallest county is Loving County, in Texas, and has 150 people. The largest school district is Alaska District One, which covers an area of 586,000 square miles. However despite the vast size of the US, it is important to realize that the administrative units for education, the school districts, are usually small, with a school population often fewer than 5,000 pupils and rarely more than 50,000. The scale of local administration, then, is more similar to the communes in Norway than the vast local authorities of the UK.

4.6 In this section I have made few attempts to link the changes in the education of the handicapped with general educational issues in the US. Although there is much written about mainstreaming in the American literature, there is little attempt to link this with discussion of the philosophy and curricula of comprehensive schools in general. I take this lack to indicate the depth of the divide that still exists there between special and ordinary education. You can find general information about the American education system in De Young and Wynn (1972), and Cowen (1981) has outlined the curriculum concerns of the 1970s and the likely developments in the 1980s. In this section I have concentrated on the background to PL 94–142, the reforming tendencies underlying it, the law itself and its effects on practice.

Reading Now read 'Julie Lorraine: a teacher of mentally handicapped students in California' (Case study 24).

Comment (a) Julie Lorraine's account gives a clear picture of the currents of change in special education from lavish, but separate, positive discrimination towards mainstreaming.

(b) She shows how such uncertainties produced a lack of clear policy in the school which was exacerbated by a succession of temporary fads which guided the whole of the curriculum.

The end of the quiet revolution

4.7 The reforming trends in special education in the US had been described in an article by Weintraub and Abeson (1974) entitled 'New educational policies for the handicapped: the quiet revolution'. The reader article by Abeson and Zettel depicts the coming of federal legislation as the end of the quiet revolution. Its authors were members of the policy committee of the Council for Exceptional Children, which was heavily involved in lobbying for and shaping federal legislation. Their article conveys the sense of excitement and achievement that the advocates of the law felt when it was enacted.

The background to the legislation

Reading Now read the first part of Abeson and Zettel's article (Reading 5.5 in the Reader) which describes the legal and historical background to the law. The second part describes the principles of the law itself. Read to the end of the third paragraph on page 367, and write down the major forces which the authors see as contributing to the enactment of federal legislation. My comments on these forces appear below.

The rights of American citizens

4.8 Underlying the development of new laws for the handicapped are the rights of American citizens enshrined in the constitution, particularly in the Fifth and Fourteenth Amendments. The US, in common with other nations, may have a shabby history of violating the rights of its own and other nations' citizens. But, in theory, each citizen is accorded equality of opportunity and the power of redress when their rights are violated. Once the courts recognize the existence of such violations, a precedent can be established which may lead to an extensive change in policy.

4.9 However, the courts use a very narrow definition of equality of opportunity, ignoring the fact that true equality of opportunity cannot exist while some people start with the burden of poverty, poor housing and poor schools. Some people think the advocacy of civil rights obscures the continuing hardship of a large section of the community. I will have more to say about these ideas in Unit 14.

The end of racially segregated schools

4.10 Abeson and Zettel mention but do not supply the context of the case known as *Brown v. the Board of Education*. This case, taken to the Supreme Court in 1954, concerned racially segregated education in Kansas, South Carolina, Virginia and Delaware. It is accorded considerable significance, especially by lawyers, as a precedent for lawsuits about the exclusion of the handicapped from education. Turnbull and Turnbull described its impact in this way:

> Just as Brown was the first case on the battlefield of racial desegregation of the schools, it was the seed that gave birth to other civil rights battles and to grounds for successful challenges to governmental discrimination against certain persons because of their unalterable personal characteristics (such as race and sex). Brown gave rise to the 'right to education' cases, and they in turn helped establish other rights for handicapped persons.
>
> (Turnbull and Turnbull, 1978, p. 13)

The exclusion of the handicapped

4.11 Abeson and Zettel mention the exclusion from American education in 1975 of one million handicapped children (in the second half of the article they talk of one and three-quarter million—but, anyway, it is a large number). These included children who were mentally and multiply handicapped and regarded as ineducable, as well as a number of 'emotionally disturbed' or 'disruptive' children. Many people with a nodding aquaintance with PL 94–142 miss the fact that it is as much an 'educability law' as a law about quality and placement in special education. The comparable legislation in the UK which made the education of all school-age children the responsibility of local education authorities has receded from people's minds. But a number of factors have contributed to the greater impact and importance of such legislation in the US. In the UK, junior training centres provided a state alternative to schools. In the US there was considerable use of private residential facilities, which were very variable in the level of care they offered, and many more handicapped children were kept at home. Certainly the background to the two laws are different; the emphasis of the British law was educability—'no child is ineducable'. The American law involved a forced recognition of the constitutional rights of the handicapped; they had a 'right to education'. The impact of such ideas may be greater too because of their relative delay. The appearance of regulations about the inclusion of all the handicapped in a law which has enshrined a mainstreaming philosophy has led some states to question where the severely and profoundly handicapped should be placed. It is not assumed that they have to be placed at the segregated extreme of the continuum of school provision.

4.12 The 'right to education' court cases produced 'child-find' procedures which sometimes amounted to a door-to-door census to ensure that no child was missed. Kirp *et al.*, 1974, describes what happened in Pennsylvania:

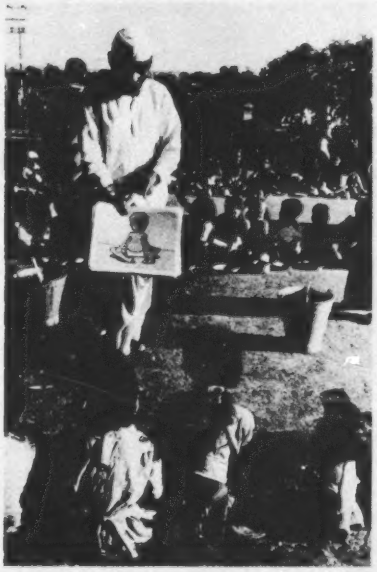
> The Right to Education Office sought out children in ingenious ways. Through COMPILE (Commonwealth Plan for Identification, Location and Evaluation of Mentally Retarded Children), it arranged to place notices in all state liquor store packages and welfare checks, send letters home with all school children, publish regular announcements in at least one local newspaper in each area of the state, and establish a toll-free phone service through which anyone might report the existence of an excluded child. All school districts as well as all state agencies dealing with school-age children were required to search their records for youngsters who were not enrolled in some educational program. To ascertain the accuracy of the identification process, COMPILE called for a door-to-door census in three representative school districts (urban, suburban and rural). Simultaneously, PARC itself organized a parallel undertaking, 'Operation Childhunt', turning over to the Right to Education Office the names that it uncovered.
>
> (Kirp *et al.*, 1974)

(*text continues on page 26*)

Special education in the Third World

The group of children we define as handicapped in any particular culture depends on the problems which are most salient. In many countries of the Third World the major needs are for water, sanitation, food and basic medical care.

Water comes to a shanty town outside Nairobi.



Nutrition lesson in India.

Queueing for water in the Philippines.

Nutrition training in Upper Volta.

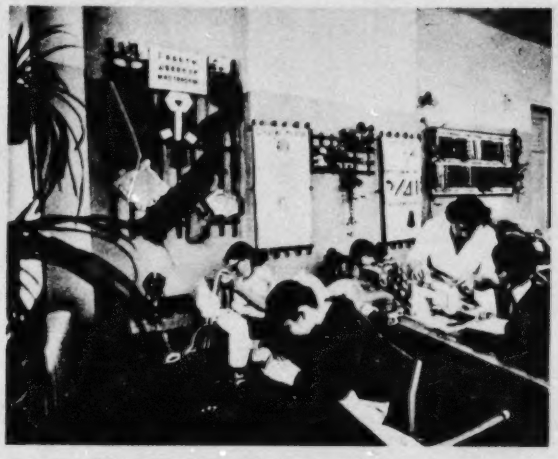
Supplying vitamins in Bangladesh.

Special education in the USSR

The USSR and other Eastern European countries have not adopted either the public rhetoric or the practical interest in integration evident in the West. They make fine distinctions between categories of handicap. For the physically handicapped and for mentally handicapped children with 'diagnosed' brain damage, boarding school education is the norm. The aim of special education is to enable these groups of people to participate in the labour market.

A speech therapy lesson.

A typing class in a boarding school for the blind.



A sewing class in a boarding school for the deaf.

A pillow fight in a boarding school for the deaf.

An 'open air' class in a school for delicate children.

4.13 In Pennsylvania such procedures were instituted well in advance of the federal law. You can imagine the impact on those states which had not instituted any aspect of the law when they were required to implement all of it.

The challenge to the use of special classes

4.14 Before 1975, most children regarded as 'educably mentally retarded' were educated in separate classes within ordinary schools, staffed and administered by a special education branch of the school district. Thus the rough equivalent of British ESN(M) education, which usually occurs in special schools, already took place within ordinary school buildings though often with minimum contact with other pupils. Its efficacy was challenged by Dunn (1968), among others, who argued that children in mainstream classes fared no worse than their comparable segregated peers. Providing a flexible support system for children in mainstream classes meant recasting special classes as resource rooms. I will be discussing and illustrating resource rooms later in this unit.

4.15 Special classes were further challenged because of the preponderance of black children placed in them, even though referral patterns for black and white children were often similar. Black children and others from minority groups were being labelled as mentally retarded on the basis of inappropriate assessment. As we shall see, the nature of an alternative non-discriminatory form of assessment received very little elaboration in the law.

4.16 As Abeson and Zettel point out, labels can cause unnecessary stigma and lowering of expectations, as well as encouraging a propensity to design education for groups thus labelled rather than for individual requirements. However, the new law actually promotes labelling, at least for administrative purposes.

The desire for an appropriate education

4.17 The phrase 'appropriate education' abounds within the literature about the law. It seems to contain three major elements:

(a) identification of children with special needs;

(b) provision of an education tailored to the child's individual requirements;

(c) meeting a child's needs in the least restrictive environment.

I shall argue that these elements have been interpreted in ways which are not always compatible with one another.

Parental rights and procedural due process

4.18 The major court cases which provided the foundation for federal legislation were brought through the activities of parents' organizations. Their involvement and power in education was always much greater than that of any such organization in the UK, largely because of their ability to achieve legal redress. The increasing disparity between administrative decisions about handicapped children and parental wishes produced a pressure for change that was hard to resist. Parents demanded 'procedural due process', a legal requirement that they be involved and consulted at each stage of the decision-making process for children with special needs.

The nature of PL 94–142

Reading Now read the second part of Abeson's and Zettel's article (pp. 367–76 of Reading 5.5 in the Reader) and jot down the principle components of PL 94–142 identified in it. I will then comment on features which these authors have missed. You will find that they repeat some of the issues they covered when considering the background to the laws.

The elements of the law

4.19 (a) The right to a free education for all handicapped children.

(b) The right to non-discriminatory assessment.

(c) The right to an appropriate education, involving:

(i) the discovery of all handicapped children;

(ii) the development of an individualized educational programme (an IEP);

(iii) education in the least restrictive environment;

(iv) the right to due process.

Categorization in the law

4.20 According to PL 94–142, handicapped children were defined according to the categories mentally retarded, hard of hearing, deaf, orthopaedically (i.e. physically) impaired, other health-impaired, speech-impaired, visually handicapped, seriously emotionally disturbed, or children with specific learning disabilities. While legislators may have toyed with the idea of abolishing or reducing the categories, the problem of counting heads for funding purposes and for providing support services led them to retain a system of labelling which, at least for administrative purposes, was likely to involve greater numbers of children than anything that had gone before. The category 'severely emotionally disturbed' is something of an anomaly in the list for it is the only 'handicap' which is qualified by its severity.

4.21 In theory there is a loophole in the law (as described by Raiser and Nagel, 1980) which illustrates the difficulty of the legislators in coming to terms with discipline problems in schools and the role of special education in solving them. They decided to specifically exclude children who were 'socially maladjusted unless it is determined that they are seriously emotionally disturbed' (Raiser and Nagel, 1980, p. 517). In practice the definition of serious emotional disturbance, which includes 'inappropriate types of behaviour or feelings under normal circumstances', and that of learning disability, allow considerable latitude to school districts to choose who to include for special education.

4.22 Each state has to submit 'a child count report' which documents 'identified children by handicap categories receiving special education and related services on October 1 and February 1 of each school year'. They are also required to submit a summary report of children identified but not served and of identified severely handicapped children served but requiring additional services (Magliocca and Stephens, 1980). State and local educational agencies, however, only receive reimbursement on the basis of the children who are already receiving special education and hence there is little incentive for them to seek out others.

4.23 The number of children the states are permitted to identify is fixed at an upper limit of 12 per cent of the school population. Only two per cent of the school population can be categorized as learning disabled. In practice, very few states or individual school districts have come anywhere near these numbers. According to the Education Funding Research Council, only three and a half million of an upper limit of eight million handicapped children were identified in the years 1976–7.

4.24 The emphasis in state plans and reimbursement policies on children receiving special education has been criticised on other grounds. Special educators are actually discouraged from seeking to prevent the need arising for special education, by, for instance, teacher training or curriculum reform. In this way, they are being encouraged to fail.

Other issues

4.25 There are a number of important elements of the law omitted by Abeson and Zettel. One is the statutory duty, already mentioned, of states to submit an annual report describing the extent of their compliance with federal law and their plans for the next year. These are public documents. Whatever the deficiencies of such documents in the US, the notion of asking local authorities to make public their policies and plans is one I find very attractive. Another omission is a consequence of the requirement to provide the least restrictive environment. The law states that a child can be moved to a more segregated form of education only if she cannot manage in a less restrictive setting, *even with additional support*. It is mandatory, then, for school districts to provide *a continuum of services*. Without such a continuum it would be impossible for school districts to place students in their least restrictive environment. The law also specifically mentions in-service training. Each state has to ensure that 'ongoing in-service training programmes are available to all personnel who are engaged in the education of handicapped children and that these programmes include the use of incentives which ensure participation by teachers' (PL 94–142).

4.26 There are also a number of issues which the law did not address, and I will discuss just one. It has attempted little to effect the organizational separation of special and mainstream education. This issue has been tackled in some states as a result of a commitment to a philosophy of mainstreaming, but it is not promoted by law. In fact the expansion of special education, which the law has entailed, has engendered a feeling of increased competition between 'regular' and special education in some places.

The centre of the law—mainstreaming and IEPs

4.27 The law's two main goals, to provide children with special needs with an individual curriculum, and to do that in their least restrictive environment, are shared by many special educators in the UK. The two nations differ markedly in how far they have attempted to convert these desires into active policy. In this section, I will examine the theory and practice of mainstreaming and individual educational programmes.

4.28 The two aspects of the law highlight an apparent contradiction in the minds of special educators. The mainstreaming movement attempts to reduce the special, separate status of children with special needs. The drive to provide each with an appropriate education results in an IEP which singles them out for special treatment. The apparent contradiction is resolved when special treatment is provided *only* as a means to increase participation in regular education. But this resolution depends on the particular interests and decisions of the teachers working with the children.

4.29 Three terms have been used in the US in relation to the process of integration: 'normalization', 'mainstreaming' and the 'least restrictive environment'. 'Normalization' is an unfortunate word, with its overtones of 'making normal', whatever that might be. As in the UK, different authors use the same word in different ways. The terms 'normalization', 'mainstreaming' and 'integration' overlap considerably, and in their broadest sense refer to the process of ending the exclusion of handicapped people from facilities available to the non-handicapped in their community.

4.30 The least restrictive environment is defined in part by American law, as I have mentioned. Children should remain in the 'regular' class unless their education cannot be maintained there even with additional educational support. This sets a standard by which the least restrictive environment can be assessed. If the education of a child could be effectively maintained in one setting with appropriate support, it would appear to be contrary to the law to permit that child to be placed in a more restricted setting.

4.31 Since the enactment of PL 94–142, there have been a number of articles which have argued that, for certain groups of handicapped children, the least restrictive environment is outside the ordinary school system. Lawrence Hapeman (1977) argued for the retention of residential and day schools for the visually handicapped, and Burton and Hirshoren (1979) contended that the state schools, in terms of building, staffing and tradition, are generally not the most appropriate place nor the least restrictive setting for the severely and profoundly retarded.

4.32 In these arguments, descriptive accounts of mainstreaming assume a position of great importance. If it can be shown that severely handicapped children actually are being educated effectively in ordinary schools, it becomes implausible to suggest that they can't be. In the American literature I have come across relatively few case studies of mainstreaming, or even descriptive accounts of the way particular schools are coping with the new law. If there is a bias in the journals against such reports, which they may regard as less than scientific, the evaluation of the law and its implementation are impeded.

4.33 The conversion of special classes in ordinary schools into 'resource rooms' has played an important part in developing the possibilities for mainstreaming in American schools. I will illustrate some of the ideas behind them with an example, and then describe a purpose-built mainstreamed school, the implementation of a mainstreaming philosophy in one school district, and finally the attempts to develop co-ordinated comprehensive facilities for all the mentally handicapped in Eastern Nebraska.

4.34 Some of the developments I will mention involve a degree of public expenditure which would be virtually unthinkable in the present economic circumstances in the UK. In deciding what can or cannot be done in the UK, you will have to work out what *essential* features of the schemes are precluded by lack of money.

4.35 Throughout this course you have had to contend with continual shifts of emphasis on the part of authors. Are we discussing the two per cent, the twenty per cent, or an even wider group? The literature on mainstreaming has concentrated on the two per cent of 'handicapped' children—though remember that federal law placed a limit of 12 per cent on children for whom federal special educational funds could be made available.

The introduction of resource rooms

4.36 When special classes for the mentally retarded came under attack in the US, the idea of resource rooms was introduced to take their place. The special class became a 'baddy' in American special education rather like the separate remedial class in some areas of the UK. But since ESN(M) children were housed in separate special classes, their transformation had greater implications in the US. A flexible resource area for curriculum and teaching support can provide a key to the mainstreaming of children with a wide range of educational difficulties. But changing special classes into resource rooms must involve more than just a name change. It requires a revision of both philosophy and function.

4.37 Resource rooms can be used to provide support to children with special needs whose education remains the responsibility of their class and subject teachers. Whether such a change actually produces the desired result is a delicate matter, for extending the arm of special education further into the school may actually help the schools to avoid reappraising their provision.

4.38 Robert Reger wrote an article entitled 'Resource rooms: change agents or guardians of the status quo?', and he gives three functions of resource rooms which must all be pursued if they are to act as agents of change:

(a) they should offer direct services to children;
(b) they should offer direct services to teachers;
(c) they should effect changes in the curriculum through work with teachers and administrators.

(Reger, 1972)

An integrated resource room for visually impaired children

4.39 O'Brien (1973) described a resource room for the visually handicapped in Montgomery County, Maryland. She drew attention to the trend in the education of the visually impaired, of whom, before 1950, 80 per cent had been educated in residential schools, whereas, by the early seventies, 65 per cent were in regular classrooms in their neighbourhood schools. The resource room was established in the county as a half-way house between special school and ordinary classroom. The room's staff were responsible to the principal of their elementary school, although they were appointed by the special education 'co-ordinator' for the visually impaired. Their principal aim was 'to prepare children to meet the intensive demands of the secondary school program in Montgomery County'. The resource room was established according to a careful plan:

> The resource room organizational plan is best described as a specially staffed and equipped room to which blind and/or partially seeing children who are enrolled in regular classrooms come at scheduled intervals daily, for individual instruction in special skills or as a need arises. A certified teacher of the visually impaired and a special education aide are provided. The primary function of the aide is to prepare materials, under the direction of the resource room teacher, for visually impaired children to use in the classroom and to perform clerical duties as needed, i.e. researching of book orders, inventory, typing reports, etc.
>
> Several important criteria served as guidelines in the choice of a school:
>
> 1 Administrative attitude is probably the most important factor in the success of such a program. Unless the philosophy of the school principal and his assistant embraces this concept and supports it fully, the resource room program will not be successful.
>
> 2 Location of the school is important since children must be transported from all parts of the county. A central location is most appropriate in order that no child should have to ride the bus more than 30 minutes to get to school.
>
> 3 It is essential that the school be large enough to have several classes at each grade level, in order that no regular classroom teacher be asked to accept responsibility for more than one visually impaired child at a time.
>
> 4 Selection of a school typical of county-wide achievement averages is essential to provide experiences that best prepare the visually impaired child to cope with secondary schools in his area.
>
> 5 In order to ensure full supportive services available in Montgomery County, the school should have the regular services of a speech therapist, reading specialist, school psychologist, physical education instructor, and, if possible, a guidance counsellor.
>
> (O'Brien, 1973)

4.40 The criteria for moving the children back into the mainstream schools were quite specific, and it is worth comparing them with the criteria for discharge from special schools or classes in the UK.

> Children will return to their local schools when (a) they have completed sixth grade, or when (b) in the judgement of a team including the resource room teacher, classroom teacher, principal, and the co-ordinator of the program for visually impaired, the child has reached the highest level of skill possible in the resource room, at his development level. Some children may require two years, while others may need more.
>
> (O'Brien, 1973)

The idea is, then, that children move when they are no longer benefiting from attachment to the resource room. I have thought for a long time that there should be two criteria for children to leave special schools:

(a) if they obviously progress;

(b) if they don't.

J. T. Cobb School

Reading Now read 'Providing for handicapped children at J. T. Cobb' (Case study 47).

Comment The school was purpose-built and lavishly staffed and equipped, but many features of the way it was run could be usefully adopted in the UK, particularly in terms of teacher preparation, in-service training and the active fostering of integration within the school. The school has a relatively large proportion of handicapped children, which permits a concentration of resources, but also separates children from their local communities. Would this arrangement be more suitable for some groups of children than for others?

Madison, Wisconsin

4.41 Gruenewald and Schroeder (1979) have described how Madison, Wisconsin, has integrated moderately and severely handicapped students. They saw separate special education as an unnecessary anomaly:

> Thousands of handicapped students live with their non-handicapped parents, play with non-handicapped siblings and friends, and interact with non-handicapped citizens within the community. The question must be asked, 'Why should these same handicapped students be systematically segregated from non-handicapped citizens only during school hours?'
>
> (Gruenewald and Schroeder, 1979, p. 1)

4.42 Madison district is large by US standards, with a school-age population of 86,000, of whom 1,900 receive special educational services. All the pupils, irrespective of the severity of their handicap, are taught within ordinary schools, about 700 of them being assigned to special classes for a major part of their school day. The support services for special needs children are closely linked to the administration of general education. The school district is divided administratively into four 'attendance areas', consisting of a high school and its feeder school, from kindergarten upwards, and these are provided with both special and subject-based 'curriculum co-ordinators'.

4.43 Gruenewald and Schroeder describe the flowering and dwindling of segregated provision. Badger School, for moderately and severely retarded pupils, was opened in 1968 and closed in 1977. Its pupils were dispersed into ordinary schools. A task force was established to create a continuum of teaching and support services in 17 schools, from which all obstacles to access were removed. The schools were spread throughout the school district and represented all stages of education. But schools were included only where the principals and staff were 'receptive'.

4.44 The Madison scheme, like J. T. Cobb, has concentrated special resources in particular ordinary schools. This approach has been termed the 'side-by-side' model, in contrast to the 'dispersed' single class of handicapped children in one ordinary school, or the 'clustered' special school. The side-by-side model has been in operation in Albuquerque since 1970 for severely and profoundly handicapped students (Thomason

and Arkell, 1980). Glendale primary school in Madison contained groups of hearing impaired children, and had six classes for the mentally and multiply handicapped. The teachers have developed a flexible approach to the education of the hearing impaired which involved some team teaching:

> Grades 1–2 (in a combination classroom) comprise the next level of the hearing impaired program. A regular education teacher with 20 first and second graders teams on a daily basis with a teacher of the hearing impaired with five hearing impaired children. After assessing the students, the teachers form instructional groupings based on the student's skills and needs. For instance, the teacher of hearing impaired children may work with a reading group of five children, three of whom may be hearing impaired and two non-hearing impaired. At the same time, on the other side of the room the regular education teacher may work with a reading group of seven children; six non-hearing impaired and one hearing impaired . . . Since the hearing impaired program at Glendale School focuses on total communication (oral language in combination with signing), the grade level teacher as well as the non-handicapped students learn signing and finger spelling.
>
> (Gruenewald and Schroeder, 1979, pp. 28–9)

4.45 The classes for mentally handicapped children have remained fairly separate, with mixing during non-academic activities. The teachers in Glendale were initially suspicious of their inclusion, fearing that they would be expected to teach them in mixed ability classes. Their concerns were discussed during a careful preparation period of exchange visits between the two schools, which also involved the parents and pupils.

> Each classroom teacher at Glendale School had an opportunity to go to Badger School for an afternoon to observe. Their additional task was to take a parent from the community with them on their visit. Upon arrival at Badger School the Glendale teacher received an overview from the program support teacher and then observed classrooms in action. Following their observations they had an opportunity to interact again with the program support teacher. A total of seven groups, ranging from four to seven people in each group, took advantage of that observation opportunity. Following Glendale's visit, the Badger staff then had an opportunity to come to Glendale School, observe classes and tour the building. Their additional task besides trying to bring a parent was to analyze objectively one of three alternatives for the location of their classes in the building. At that time, the major concern of the Badger staff was easy access to the building. Their second concern was hopefully trying to keep all classes in the same wing in order to be able to take better advantage of the support staff who would accompany the six classes.
>
> (Gruenewald and Schroeder, 1979, p. 31)

4.46 The progress towards integration in Madison is impressive, but some multiply-handicapped children and some referred to as 'emotionally/behaviourally disturbed' are still not included in the ordinary school system. A few children in the first category are sent to a residential institution outside the district. Others, who 'present primary differences in values which cause them not to identify with the regular secondary school program', may attend alternative high schools. Publicly financed alternative high schools, run on more flexible lines than traditional schools, go by the name of continuation high schools in California and have sprung up in many parts of the US (see Raywid, 1981).

4.47 In Madison, however, they have clearly attempted to deal with the problems of integrating different groups of handicapped children. Children with sensory handicaps are placed, as individuals or in small groups, in the ordinary class, with the help of special teachers and resource rooms. The mentally retarded and 'emotionally disturbed' are more often to be found for a greater period of time in self-contained classes. The large group of 'learning disabled' children who make up a third of all children receiving special help also use resource rooms, or their curriculum is modified in the ordinary classroom.

Eastern Nebraska

4.48 Madison represents an important effort to co-ordinate special resources within one school district in the US. Although section 504 of PL 93–112 takes integration beyond education, it still tends to be confined to educational services. This is not true of Eastern

Nebraska, which represents one of the most ambitious and comprehensive attempts to reshape provision for the mentally handicapped in housing, social services, health and education. A description of the project was produced for the Campaign for the Mentally Handicapped (Thomas, Firth and Kendall, 1978). Although Nebraska had been described as a 'hotbed of republican reactionaries', several circumstances combined to produce a thorough reappraisal of the conditions of handicapped people in that state. The deplorable conditions in the state subnormality hospital were thoroughly exposed and produced a wave of revulsion which was harnessed by an active parents' pressure group and by a group of professionals already committed to the normalization of services. One such advocate was Wolf Wolfensberger, internationally famous in the field of mental handicap and author of *Normalisation* (1972).

4.49 A state committee was established which produced a report setting out the precise nature, cost and administrative needs of a state plan for community-based services for all mentally handicapped people. They based their plans on the following five principles:

> 1 No matter how handicapped, a retarded person or institution resident is not an animal, vegetable or object, but *a human being and a citizen*, deserving of respect and in possession of certain human, legal and social rights. As much as possible, retarded persons, whether institutionalized or not, should be treated as ordinary persons of their age are treated in the community. Every effort should be made to 'normalize' retardates, that is, to diminish those aspects that differentiate a retardate from a typical citizen of comparable age.
>
> 2 There should be maximal continuity of contact and atmosphere between all phases of service agency (including institution) functioning and the community.
>
> 3 Continuity of contact between a retardate and his family should be maximal, limited only by liberally interpreted considerations for the welfare of the retardate, his family and the agency (for example, institution) serving them.
>
> 4 Service agencies (including institutions) should provide an environment conducive to their clients' physical, intellectual, social and emotional well-being and growth, with special emphasis on the development, welfare and happiness of children.
>
> 5 Each retarded person, particularly if he resides in an institution, should have a special relationship to a competent individual citizen who will act as his personal advocate, vigorously representing his interests and safeguarding his welfare.
>
> (Thomas, Firth and Kendall, 1978, pp. 4–5)

4.50 One of the local parents' groups of the Nebraska Association for Retarded Children produced a second report for the Omaha district which echoed the state plan and produced even finer specifications. The county authority provided funds for pilot projects in the Omaha area and they were then combined with four other eastern counties to form the Eastern Nebraska Community Office of Retardation (ENCOR), which was given responsibility for initiating and administering all the services for the mentally handicapped, and set about establishing group homes, hostels, shared flats and foster homes as alternatives to the state mental hospital. A high level of support was offered to the families of young children, many of whom were enabled to return to their homes.

4.51 In 1973, ENCOR was responsible for 225 children in six special schools, but, by the end of 1976, all these schools had closed and all the children had moved into mainstream education, except for five of the 'most difficult' children who were retained in a separate unit. The ENCOR specialist teachers were carefully prepared so that they would enable handicapped children brought into ordinary schools to spend as much time as possible with non-handicapped children.

> In one [nursery] school visited, there were 45 children, nine of whom were handicapped. The staff consisted of the director, five pre-school teachers and two permanently attached ENCOR teachers: each of these had special responsibility for four or five handicapped children, with whom they ran individualized language, self-care and other developmental programmes. Most of the children's time, however, was spent in activities with the non-handicapped children.
>
> (Thomas, Firth and Kendall, 1978, p. 7)

4.52 Many of the children whom even the ENCOR team had not expected to attend ordinary schools were enabled to do so.

> A group of about twelve children, aged between seven and sixteen, who had lived either at home or in the state institution, were said to show such emotional or medical difficulties that they could not be accommodated within an ordinary school. These children were reckoned by ENCOR to be the most difficult on their books, and the agency had at first provided a special, separate unit for them. It then, however, decided that these children too had the right to receive education in a normal school setting, and so it found a high school which agreed to rent it a classroom, and ENCOR provided all the staff.
>
> By the time of my visit, this special class had been going for just three months. its integration into the 'host' school had been a major achievement. The other children in the school had proved extremely supportive to the ENCOR children; these children had already made considerable progress.
>
> (Thomas, Firth and Kendall, 1978, pp. 7–8)

4.53 Some of the more ambitious services have suffered from a lack of continuing funds. As a reaction against the poor level of medical treatment in the subnormality hospital, ENCOR established a 'developmental maximation unit' for multiply handicapped children with an overall staffing ratio of three members of staff to each child. It was housed in an unused wing of Douglas county hospital and became known as the 'cadillac ward'. It was the *only* institutional accommodation for the mentally handicapped. In fact, ENCOR had overestimated the need for such intensive provision, and although there was initial scope for sixteen children the number in the unit had fallen to six by 1977, a process which was hastened by considerable staffing cuts!

4.54 The report on the activities of ENCOR does not reflect the changes which the advent of PL 94–142 will have made on the education of mentally handicapped young people or on the development of comprehensive services for all the handicapped. The report does give an indication of what can be achieved in the US when parents and professionals pull in the same direction. It also raises the possibility that a central, committed organization may be required to foster integration in its early stages. We do not know what effect such collaboration would have in this country. I know of no examples of local authorities in the UK producing a detailed plan for community-based services for the handicapped in which health, education, social services and parents' groups have been involved. We will consider the possibilities for such policy teams in Unit 16.

The individual education programme

4.55 American special education law aims to protect the rights of the individual and ensure that she receives an appropriate education. The Americans chose to do the latter through the IEP, which appears to have a simple and reasonable aim. It is intended to ensure that all children with special needs receive a planned education to which parents agree and lend their support.

What is the IEP?

4.56 The IEP is a document prepared by a team which includes the classroom teacher, the parent and child where appropriate, as well as other relevant professionals. It has four major features:

(a) a statement of the present levels of educational performance of each handicapped child;

(b) a statement of annual goals, including short-term instructional objectives;

(c) a statement of the specific educational services to be provided for each child;

(d) the projected date for initiation and anticipated duration of such services, and appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether instructional objectives are being achieved.

4.57 The document is intended to serve not only as a *statement of need* but also a *statement of intent* which is enforceable in the courts. Fears that teachers would be prosecuted unless their students reached the goals stated in the IEP had to be allayed in the legislation which specifically says that teachers are not to be held accountable for missed goals. But the stated provision of services and placement for education can be legally enforced.

4.58 The use of words such as 'short-term instructional objectives' places the IEP firmly within the behaviourist approach to education. As you may have known, or have realized from reading Unit 5/6, one view of what makes special education special is that it should have a rigorously defined and structured curriculum. The curriculum is analysed into skills, which are, in turn, broken down into smaller learning units. Before teaching begins, a child's level on a set curriculum is assessed, and then teaching objectives are prepared which specify the particular behaviour that a child will master in a particular time to a particular level of success, using predefined materials and methods. Extensive records are kept as a means of evaluation and accountability (see Case study 45, 'Westnall school for children with learning difficulties', and Unit 12). This approach to special education was widely advocated in the US, and I have found very few American writers on special education who do not approve of it. Yet it is open to considerable objections. Few people would argue with its emphasis on planned teaching, but only limited areas of the curriculum can be broken down into small specifiable steps. When the approach is extended into other areas, it may lead to 'handicapped' children receiving a distinctive and restricted education. The behaviourist approach is often associated with 'diagnostic-prescriptive teaching', in which activities such as reading or talking are broken down into assumed component sub-skills. Although there is no evidence for the efficacy of such methods, they are actively encouraged by the wording of the legislation (see Unit 5/6 and Arter and Jenkins, 1979). There can rarely have been a time when educators were *legally* obliged to view education according to one professional position. That the IEP represents so strongly a single educational approach makes it self-contradictory. For how can a truly individual response be produced within narrow guidelines? As Shapiro (1980) remarked about provision for children with low academic attainment:

> It is in the classes and programs for those functioning at the lowest academic level that authoritarian pedagogic relations, rote learning dominate . . . (what are sometimes euphemistically referred to as 'structured' learning experiences). The characteristics of such a classroom environment preclude the notion of individualized instruction. Such instruction requires, not the authoritarianism and rigidity found at this level, but flexibility and latitude; it requires a degree of autonomy in place of rote learning; and activity and movement in place of passivity.
>
> (Shapiro, 1980, p. 220)

4.59 Various states have produced guidelines on the writing of IEPs. Jack Frymier has held up to ridicule the examples of behavioural objectives given in the *Illinois Primer on Individualized Education Programs*, a document typical of those produced by a number of other states. The excerpt he chose is of the toilet training of a handicapped student, which specifies the kind of legally required (mandated) goals and short-term objectives, as well as the even more precise statement of behaviour which are referred to as implementation objectives:

> *Annual goal (mandated)*
>
> Student will regulate bowel movements and independently toilet self with success by end of year.
>
> *Short-term instructional objectives (mandated)*
>
> Student will stay on potty chair and perform needed function at least once each day.
>
> Upon entering lavatory, student will respond by preparing for toileting, 95 per cent of the time.
>
> Upon need for toileting, student will independently attend to necessary functions at 99 per cent level.
>
> *Implementation objectives (not required)*
>
> Upon entering lavatory student will grasp waistband of pants in order to pull them *down to knee level*, 90 per cent criteria level.
>
> Upon entering lavatory student will grasp underpants in order to pull them down, 90 per cent criteria level.
>
> (quoted in Frymier, 1980)

4.60 Frymier comments on such regulations in the following way:

> The purposes of PL 94–142 are noble and sound. Honoring the integrity and uniqueness of individual learners is important whether they are handicapped or not. Developing elaborate lists of mandated objectives that will be imposed on learners (even if due processes are employed) is another matter all together.
>
> I am terribly impressed in a negative way. I have spent the past fifteen years working with parents and teachers and administrators to develop concepts and procedures that would help teachers foster the development and growth of individual learners in schools. I believe in personalizing teaching and individualizing instruction. Never in my wildest dreams, however, did it dawn on me that bowel movements could or should be regulated by rule of law.
>
> (Frymier, 1980, p. 134)

4.61 Can the IEP simultaneously perform all its intended functions? It has to be a legally binding statement of intent, a statement of need *and* a management tool for checking on the provision of special education. Whether one piece of paper can fulfil all those purposes depends, in part, on its length and the time invested in its production. In practice, schools have had great difficulty in preparing documents which achieve anything like an individual educational programme.

Activity 1 There is no specified format for producing IEPs, and different school districts have developed their own forms. Read Appendix 1 and decide how well the IEPs fulfil the four major features identified in para. 4.56.

Comment (a) The first IEP's title, 'Comprehensive educational plan for special education', is not fulfilled by what is written beneath it. The duration of services is unspecified and the 'specific' annual goals are just to 'increase skills' in various areas. The document provides little insight into the content of the following year of schooling.

(b) The second IEP does involve a very fine specification of the curriculum that the child will follow and the materials to be used. It does not constitute an imaginative reappraisal of the needs of the 'whole child'.

(c) The 1981 Education Act requires LEAs to produce a 'statement of special educational needs' for a child '*if they are of the opinion* that they should determine the special educational provision that should be made for him' (my italics). Leaving aside the totally different approach to the demands and rights of parents in the British and American legislation, there has been considerable discussion of the form these statements might take, and their relationship to IEPs. No one anticipates that they will be used on the scale that IEPs are in the US, and the Department of Education and Science expects that they will be written for two per cent of the population. If their contents are closely related to the curricular revisions required to cater for the capacities and interests of these children, then they will be genuinely useful documents. We will return to such possibilities in Unit 16.

4.62 As we shall see, one of the major consequences of the implementation of PL 94–142 has been the amount of additional time that has had to be devoted to paperwork and meetings. In tying educators down to highly specific activities the law precludes them from doing other things. When, for example, could they institute a reappraisal of curricula and school organization which might prevent children needing special education in the first place? But the legislators did not conceive of the necessity of such activity. They saw special education as a response to the problems of identified individual students. In tying federal funding to the completed paperwork on individual children, they actually reduced the likelihood that a reappraisal of comprehensive education would take place.

Reading Now read 'Barry Marks: a Californian program specialist (Case study 23), which concerns California's attempts to co-ordinate innovations in special education following the introduction of PL 94–142.

Comment (a) The case study indicates the relationship between law and practice at federal, state, school district and school levels. School districts took different approaches to the role of program specialists and schools varied in the effort they put into the IEP process and the value they derived from it.

(b) Basing a plan on the 'needs of the child' is constrained, even in the US, by limited resources. Barry mentioned an informal understanding that the limit on numbers of students with exceptional needs was 10 per cent, though there was no limit in theory. As we have seen the law does place an upper limit of 12 per cent on the number of officially identified students. Meetings could become farcical when people pressed for services which did not exist in the district. If these became written into the plan, then the district would be legally obliged to provide them.

(c) Barry appears to have thought that the law would lead to an 'end of categorization'. We have seen that PL 94–142 clearly sets out the categorization on which federal funding depends.

Assessment, IEPs and the least restrictive environment

4.63 PL 94–142 was concerned to eradicate biased forms of testing and selection in special education. Certain safeguards were built into it, such as that no assessment could rely solely on the use of one test. I will mention, here, the consequences of PL 94–142 for assessment procedures, although psychological assessment is considered in greater detail and depth in Unit 12. You can think of assessment as falling into two types: the commercial and the home-grown. The commercial approach uses manufactured tests which usually compare how one child performs in relation to a sample of other students from whose scores the norms or standards of the test are derived. Several of the more expensive of such tests are restricted in use to particular professional groups—usually psychologists. The home-grown approach, in contrast, involves an attempt to establish the particular areas of the curriculum that a child wants or 'needs' to learn and the identification of the best teaching approach. Such assessments are sometimes termed 'criterion referenced' or 'informal'. Which of these approaches do you think might be best suited to the behavioural orientation of special education?

4.64 One of the strengths of the behavioural approach is that it avoids the gap between assessment and teaching that traditional 'normative' forms of assessment create. The commercial approach involves the discovery of a child's performance on tasks unrelated to her interests or the curriculum and resources of a particular school. After such an assessment very little can be said about the appropriate education of the child. It is hardly surprising that, in such circumstances, psychologists might be tempted to pretend that special educational *placement* was special educational treatment. The favourite instrument of this approach, the IQ test, was actually developed for a different purpose. Binet and Simon developed their test to enable retarded children to be taken out of normal schools in order to provide them with special education. It was a sorting device, and has continued to be used in that way by generations of psychologists. But if children are no longer to receive their special education outside ordinary classrooms and schools, then the sorting function of assessment becomes obsolete.

4.65 Both the mainstreaming philosophy and the ideas behind the IEP require a break from traditional forms of assessment. Yet the law permits tradition to hold sway and thereby actually undermines the development of an education suited to the needs and interests of each child in her least restrictive environment. The first IEP in Appendix 1 contains several references to norm referenced tests.

4.66 Nor does the law pursue the idea of non-discriminatory assessment to its logical conclusion. Accurate and fair assessment is not obtained by using more than one standardized test or by freeing test materials of items which favour a particular cultural group. A non-discriminatory assessment involves understanding a child within her culture and environment; *it is culture, school and environment specific.* David Sabatino recognized this drawback in the law:

> While diagnosis often rests heavily on test scores, most psychologists and educators who have squarely faced American cultural-linguistic diversity recognize

that formal or standardized test development is patently unfair. Thus requirements of PL 94–142 that specify non-discriminatory assessment may well be at odds with its 'gatekeeping' requirements for categorization of children and youth, largely through testing. Criterion-referenced and monitoring processes are desirable and should become major components in the IEP; unfortunately they are not required. Under the law, formal (i.e. norm-referenced) assessment is the required method to establish the categorical handicap.

(Sabatino, 1981, p. 20)

Putting legislation into practice

4.67 I have found it impossible to separate a description of American reforming tendencies and legislation from an evaluation of them, but I intend now to concentrate solely on evaluation. How has special educational legislation in the US worked out in practice? Before PL 94–142 had been fully implemented, Richard Weatherley asked a number of questions about its effects:

> Will the requirements of PL 94–142 bring about widespread adoption of uniform practices for equitable treatment of handicapped children? Or will they just create more work for school personnel? Will the guarantee of a free and appropriate education with necessary support services for the handicapped be realized? Or will the law simply 'accelerate the trend toward senseless federal disruption of the governance and administration of our public schools,' as one critic has predicted? What happens to a universalistic policy—in this instance a policy for *all* handicapped children—when it is superimposed on a social order characterized by substantial disparities in local resources and individual wealth and power? What specific factors impede or facilitate the implementation of PL 94–142? Under what conditions can a public service bureaucracy charged with processing children on a mass basis effectively assess and serve individuals? Will the programmatic emphasis and allocation of resources for the education of the handicapped create a backlash of resentment from parents and educators in the regular education sector?
>
> (Weatherley, 1979, p. 3)

4.68 Reactions to the law have filled many pages of the American special education journals. There are numerous critics of the law as well as staunch defenders and their arguments vary in their detail. In an editorial in the *Journal of Special Education*, Lester Mann formulated his complaint:

> So let me, along with like-minded others, complain; we do this in full recognition of the many good things about PL 94–142, among them its insistence upon accountability, its inclusion of parents and children in educational planning and programming, and its demand that services needed by handicapped children be guaranteed to them.
>
> But did the specification of any of these good things (and any of the other good things) need to be spelled out *à la rigor mortis?* Were the implications of such now immortal catch phrases as 'least restrictive environment' thought out before they became federal imprimatur? Did specific enthusiasts have their way too often and far too far? But so it went and so it goes; and now we must live with and make the best of legislation whose constraints are limiting creativity in special education and exhausting many of its practitioners.
>
> (Mann, 1980, p. 3)

4.69 Others are less guarded in their criticism: Walter Tice, a social studies teacher in Yonkers, New York, contrasted the view of federal officials with his own:

> Those federal officials responsible for the enforcement of PL 94–142 are clearly convinced that the law is working reasonably well. They doubtless feel that the problems that surface from time to time are normal shakedown problems to be expected when such a major change in educational practice is undertaken; and in any event, the difficulties are heavily outweighed by the desirability of the major commitment to the needs of handicapped children contained in the law.
>
> I am a practicing teacher. I have seen the law operate first hand and I believe these views are wrong . . . dead wrong.

> In my view—and I believe it is shared by a large number of American practicing classroom teachers—the actual implementation of PL 94–142 has been a disaster for American public schools and the child, both handicapped and non-handicapped, who should be benefiting directly or indirectly.
> (Tice, 1979)

4.70 Although some parents have welcomed their increased involvement, others have regarded it as a farce:

> The IEP is a piece of paper. The financial resources are not available to provide adequate service. There have been no increases in support to clerical staff to manage the massive paperwork. Therefore, direct service is taken from my son to fill [out] papers. It is awful.
> (quoted in Yeager, 1979)

4.71 There have been criticisms not only of the deficiences of the law as it stands, but also of its omissions. John Ryor (1978) commented on the fact that 'no provision exists in the PL 94–142 regulations for reduced class sizes following the placement of handicapped children in regular classrooms'. He quoted the difficulties this posed for one high school teacher:

> My experience with mainstreaming has been disillusioning and difficult. For one whole year I had in one English class a boy who was all but totally deaf. His needs and demands were so overwhelming that he took 59 per cent of my teaching time, energy and creativity . . . leaving 34 other students scavenging for crumbs . . .
> (Ryor, 1978, p. 9)

4.72 David Sabatino, who, in his advocacy of resource rooms, can be seen as a special educational reformer, offers perhaps the widest criticism of the law. He thinks that the law's implementation requires a radical change in the whole of education:

> Special educators, having built programs and services to accommodate exceptional students, are now expected to develop or redevelop, the entire regular education system which has remained basically unchanged since 1680 . . . None [of the academic rhetoric on special education] provided answers as to how to create an effective special education program within the antiquated American general education system.
> (Sabatino, 1981, p. 10)

4.73 Unlike Norway, the US changes in provision for handicapped pupils have not been linked in general to developments within comprehensive education, such as mixed ability, team, or integrated teaching, although the flexible use of resource rooms might provide the basis for such developments. The turmoil created in some areas might force American educators to embark on such a reappraisal, as has begun to be the case in Italy. But the Americans have an additional problem; the law has already prescribed the way their time should be spent.

4.74 I have concentrated on negative reactions to the law in these preliminary remarks. I pointed to examples of positive practice when I discussed mainstreaming, and an excellent individual case study is provided by Whitelaw (1978), which is reprinted as Appendix 2. You may find it useful for your assignments, or for developing your own ideas. It gives, in greater detail than any other case study written for the course, the practical consequences of including a handicapped child (in this case a blind girl) in an ordinary classroom. It provides a salutory contrast with the experience of the teacher quoted by Ryor who may not only have been ill-prepared to cope with teaching a deaf child but appears to have received no support. Another article describes the way the emotions produced in one teacher by the simple presence in her class of a physically handicapped pupil almost drove her out of teaching ('MJS', 1978). These case studies emphasize the necessity of preparation, selection and support in bringing handicapped children into ordinary schools. Implementation is bound to fall short of the ideal envisaged by the legislators. PL 94–142 was only to be entirely implemented from 1980 and it is as yet (1981) very early to gain a comprehensive picture of its progress. Legislation very similar to the federal law, however, was implemented in Massachusetts in 1974. In the second reader article for this unit, Weatherley and Lipsky describe the transformation of the letter and spirit of the Massachusetts law as teachers, parents and professionals put it into effect. These are the street level bureaucrats of the title of the article, who have to fit the new demands of the law into a pre-existing pattern of working and living.

Reading Now read 'Street level bureaucrats and institutional innovation: implementing special education reform' (Reading 5.6 in the Reader. As you read it, list the major problems which confronted teachers, health and welfare workers in fitting the law into life. Remember that the article does not provide a before-and-after picture, as it is only concerned with the scene after legislation. You will have to deduce what happened before, and from this decide which of the problems in special educational practice in Massachusetts were a result of or were exacerbated by the law.

Comment

> A law and its administrative regulations, intended to produce uniform application of procedures, instead yielded wide variations in application. The chances of a child's being referred, evaluated and provided with special education services were associated with presumably extraneous factors: the school system and school attended, the child's disruptiveness in class, his or her age and sex, the aggressiveness and socio-economic status of the parents, the current availability and cost of services needed, and the presence of particular categories of specialists in the school system.
>
> (p. 389)
>
> There was, however, evidence that a subtle kind of dumping was taking place: there appeared to be a wholesale shifting of responsibility for troublesome children from the regular class teacher to a specialist or resource-room teacher.
>
> (p. 383)
>
> However, in certain respects the new law, by dictating so much, actually dictated very little.
>
> (p. 395)

Many of the problems that Weatherley and Lipsky mention are entirely familiar; they would bedevil the education of handicapped children with or without the law. One issue stands out as a theme of the article—the problem of providing individual services when the law demands a similar degree of attention to, and reporting and recording of, all children with special needs. Apart from this, my list of the problems identified by Weatherley and Lipsky is given below.

(a) The law was implemented in an adversarial atmosphere in which parental involvement was seen as a threat.

(b) Special education was seen to be taking a share of resources previously assigned to regular education. The two were perceived as in competition rather than one system.

(c) The workload of teachers, professionals and administrators was increased.

(d) There was a trend away from mainstreaming. To what extent this was a result of the law is difficult to evaluate. More recent *national* statistics have indicated definite changes towards mainstreaming (Blaschke, 1979).

(e) Classroom teachers had little contact with specialists.

(f) Classroom teachers often had no knowledge of the IEP.

(g) Specialists sought little contact with teachers.

(h) Specialists sometimes actively recruited problems appropriate to their speciality.

(i) There was unequal 'discovery' of children with special needs between school districts.

(j) IEPs were often predetermined by 'pre-core' meetings without parents present.

(k) An informal system or rationing procedure was developed to cope with the overwhelming case loads.

(l) Children continued to be selected in relation to the availability of services.

(m) The 'loudest' children were referred first.

(n) There was an emphasis on assessment rather than provision of services.

(o) Services were reduced at times. They were either diverted to the assessment procedure, or simply terminated once education took over responsibility for all handicapped children.

Of this list the bureaucratic demands of the new law stand out as producing the biggest effect. People had to spend far more time gathering information and writing it down and meeting with their colleagues, and they had to do this instead of doing something else.

Some unintended consequences of PL 94–142

4.75 It appears that the legislators failed to assess the law's likely consequences. It was predictable that more time would be required from teachers and professionals, and that they would inevitably need to subvert the law. It was predictable that more administration might mean less provision of services.

> The federal law, like Massachusetts law, at the same time requires and rewards the identification and assessment of children in need of special education. No reimbursements may be claimed for children until after the assessment and education program development process has been completed for them. However, there are no comparable incentives for the development of high-quality services. In fact schools will maximize resources under PL 94–142 by identifying and conducting education plan meetings for as many children up to the 12 per cent of enrolment ceiling, but serving them as cheaply as they can. Educational leadership, professional pride, and parental pressure may intervene to produce highly individualized, richly staffed, and high quality special education programs, particularly in communities with sufficient wealth to pay for them. For school systems without these relative advantages, however, the outcome is likely to be assembly line assessments and minimal service options.
>
> (Weatherley, 1979, p. 144)

Rather harder to predict was the nature of some of the due process hearings about the least restrictive environment. In Massachusetts at least, the bulk of these hearings were brought by parents who wished their children to be removed from mainstream schools and placed in specialized private education. They saw '*free* appropriate education' as permitting them to obtain public funds for selective schooling (Bloom and Garfunkel, 1981).

4.76 In Missouri, on the other hand, the implementation of the law has meant that, in mid 1981, a third of one per cent of children remain in special schools. The state has developed a five-year plan to bring the remaining children into ordinary schools, but a group of parents are taking the administration to court for failing to implement mainstreaming at a faster rate and the state official to whom I spoke suspected that these parents might win the case. He was placed in the invidious position of having to argue in court that the least restrictive environment for these children was in special schools, even though he believed and was prepared to work for the opposite case. The same administrator faced another court case over a challenge to the '180-day rule' according to which education is provided to children in ordinary schools for 180 days of the year. A number of parents of handicapped children had argued that an appropriate education could be provided for their children only if they were given additional teaching in the summer break. Since similar claims have been upheld in a number of courts in other states, the administrator suspected the same would happen in Missouri (see Stotland and Mancuso, 1981). Again, he felt that some children should be provided for in this way, but was opposed to being obliged to provide such opportunities to all children in certain categories.

The handicapped and the disadvantaged—who benefits?

4.77 So far we have looked at criticisms of PL 94–142 which describe it as inadequately conceived or poorly implemented. Richard Weatherley criticises it for another reason. He sees it as the most recent in a long line of laws on human rights which leaves the major handicaps of American citizens unexposed and unchanged. He argues that any attempt at special educational reform which leaves economic inequalities unchanged is a palliative which fosters an illusion of radical change while aggravating existing disparities. Despite the fact that Massachusetts law incorporated 'an equalizing formula specifically designed to distribute state funds so that poor districts fare relatively better than the rich', the practice was different.

> . . . The wealthier districts have the staff resources and sophistication to get more from the state, both absolutely and relatively, than poorer districts, and the disparities between rich and poor communities are actually widening . . .
>
> Nationally, funding and service disparities are also likely to be aggravated by PL 94–142. Local entitlements are based on the number of children serviced in special education programs and, in general, since wealthier districts serve more children, they get more money.
>
> (Weatherley, 1979, pp. 9–10)

4.78 At the end of his book, Weatherley elaborates on what he sees as the illusions of administrative reform:

> . . . Administrative reform efforts may sometimes be more symbolic than real. and may simply result in more subtle, less visible means of controlling clients while preserving the illusion of humanizing reform.
>
> In the case of special education reform policies, parents are 'involved' but not heard; children are no longer dumped into special classes but are referred to 'resource rooms' and specialists, sometimes with exclusionary intent; multi-disciplinary planning teams are assembled, but decisions still reflect single standardized test scores or the will of dominant team members; 'individualized' education plans for each child are written but are copied from standard formats or from previously developed plans; services are planned but not provided.
>
> Such subterfuge would break down entirely if uniformly and invariably invoked. It is therefore important that sufficient exceptions be made so that all might believe that the reform procedures are working to some extent. But exceptions are usually made for those whose status gains them favored treatment or who pose the greatest threat to the organizational routine.
>
> It is convenient but deceptive to think of the failure of human service bureaucracies to consistently and uniformly provide humane individualized treatment of clients as simply reflecting shortcomings in administration or in implementation. To do so focuses responsibility on the bureaucracies and their staff for problems that remain beyond their capacities to correct.
>
> It is the function of such bureaucracies to treat or serve individuals; the social conditions that may be responsible for the problems of clients remain well beyond their purview. In fact, the provision of even inadequate services serves to pacify potentially rebellious elements and satisfies our collective sense of justice and humanity, while leaving unexamined and undisturbed the inequities in existing patterns of social relations.
>
> Human service bureaucracies and those who work within them are also convenient scapegoats for the collective insufficiencies of human service programs. They are much maligned as impersonal, unfeeling, wasteful, inefficient, rigid, inflexible. At the same time, they are underfinanced, overcontrolled, fragmented, and assigned impossible tasks. Their failures demonstrate the futility of applying administrative remedies to political problems.
>
> The problems that led to special education reform legislation were essentially political; they were problems of unequal distribution of public benefits. Certain children were arbitrarily excluded from public education or denied services and programs simply on the basis of a handicapping condition, although other factors such as race and socioeconomic status were sometimes involved. The passage of reform legislation at the persistent instigation of parent, advocacy, and civil rights groups served to accommodate the demands of these groups and provide symbolic reassurance to the public of a governmental commitment and concern for the needs of a group disadvantaged through no fault of its own. To continue to deny or ignore the legitimate demands of this group would have constituted a gross violation of humanistic principles that we as a nation like to believe we adhere to. The failure to appropriate sufficient funds to fully implement the law and its imposition on a public education infrastructure characterized by vast disparities in resources and capabilities and facing a general erosion of financial support virtually guarantees the kind of 'implementation' problems encountered in this study. In a broader sense the persistent inattention to problems of inequality also guarantees unequal treatment of citizens and unequal distribution of public benefits by public bureaucracies, including schools. Such problems cannot be 'solved' administratively.
>
> (Weatherley, 1979, pp. 146–8)

4.79 I will return to the possibilities for major reforms within an otherwise unchanging economic and political structure in Unit 14. The sincere advocate of reform is often caught between evangelism and cynicism. Most societies are a conflicting mixture of repressive and humanitarian elements. Sometimes it seems that an alignment between reformers will achieve real humanitarian gains, and sometimes that such achievements are inevitably eroded by immovable forces in the system.

Summary

4.80 I have tried to give you some idea of the nature and consequences of special education legislation in the US. PL 94–142 was framed as a result of diverse pressures from a variety of interest groups at a juncture of particular political and economic forces. It did not embody a clear philosophy but emphasized a number of prevailing tendencies; the assertion of parental rights, the recognition of the rights of the handicapped, the inclusion of the handicapped in the mainstream, the move to greater accountability or bureaucratization of education, and the behavioural approach to education. Where contradictions existed between these tendencies they were exaggerated by the passing of the law. Despite the claims of its protagonists, PL 94–142 does not represent a fundamental or radical reappraisal of special education. At the root of special education are students, parents and teachers. The law certainly does not ask how, given a comprehensive educational philosophy, are these people to spend their time? Nor does it address itself to past failures in educational and social policy and answer Richard Weatherley's question: what prevents the unfettered opportunity of disadvantaged groups?

5 *Policy making in the UK—a comparison*

5.1 This unit has been about the development of national special educational policies and the transformations that can occur between the words and intentions of policy-makers and the practice of teachers, parents and professionals. While the integration of the handicapped has been an important educational issue in most developed countries, not all have progressed as far as Norway, Italy and the US. In the Federal Republic of Germany, about five per cent of the school population are in separate special provision. I deliberately selected three countries from which one might have something to learn about the creation of policies towards integration. In this last section of the unit I want to examine the notion of policy, compare the way the different educational systems in these nations and the UK are reflected in different approaches to policy and raise the questions of whether an overall co-ordination of policy towards integration is desirable and possible in the UK. In trying to shed light on policy development in the UK, I will look at how policy towards special classes for the mentally handicapped was developed in one London borough, and at how one American visitor saw our special education policy making system. It is up to each of us to select from these examples those features relevant to the practice in our own areas.

The creation of policy

5.2 We can think of two extreme conceptions of educational policy. One involves a statement about the current state of affairs in which the direction of desired change and future plans are left unspecified. An LEA might give such a statement if asked for its policy towards special education practice. Such passive policy making, in which little attempt is made to harmonize diverse and competing forces, is well characterized by the word 'drift'. The second view of policy making involves deliberate attempts to control the course of events and to bring a rational, coherent philosophy to bear on an area of social practice, as has been attempted in Norway, Italy, and the US.

5.3 It would be pleasant for me if the world would conform to my propensity for dichotomies. But what may look like active policy may simply be the concealment of drift. Aspects of the American legislation can be seen in this light, in that it recorded the most prominent reforming tendencies in special education without recognizing possible conflicts between them. Equally, drift may be carefully orchestrated according to a concealed master plan. The way in which professional interest groups dominate special education policy making sometimes involves the subtle stage-management of drift.

5.4 The degree of openness in policy creation is a further important dimension which distinguishes the practices of different nations. One of the pleasant features of studying developments in the US is that the Americans publish everything. They make little effort to conceal their mistakes and, given enough time, a reasonably accurate picture can be pieced together. It is harder for outsiders to gain information about the British education system, where comprehensive libel laws make people very cautious.

5.5 The complexities of policy making, the amount of control which is necessary for coherence to emerge in practice, mean that active policy is always on the point of giving way to market forces. Policy making of this type is an unending process requiring vigilance and intelligence in both senses of the word; a form of continuous revolution. One major barrier to active policy making is the continuously changing political and economic climate in which policy is derived. Periods of economic and political stability favour coherent policy making. The cuts in public expenditure in the UK and the drive to reduce taxation in the US are both likely to contribute to arbitrary disorder in education.

5.6 But even in periods of economic and political stability the best laid plans of policy makers may unintentionally end in drift. Centrally created policy has to be implemented and the people who have this task, the 'street level bureaucrats', may resist change for all sorts of reasons. They may simply disagree with their guides and orders or they may have been given impossible tasks. In implementing PL 94–142, teachers and professionals were subject to such great expectations that they were forced to resort to all sorts of manoeuvres to subvert the law and make their lives bearable.

5.7 National policy is not just the creation of government or leaders, which then filters down to the troops. Governments may be impelled to act by a mass movement or groundswell. In the countries I have examined in this unit, national policies represent a negotiation between the concerns of governments and citizens. The countries differ in who has the power to obtain representation.

5.8 We can think of active policy as dependent on knowledge, control and power. In order to shape special education practice, we have to know what is going on at present as well as having a clear idea of the likely effects of our initiatives. We have to be in a position to control practice, to make it go in a desired direction, and we have to have the power to influence the practice of others. Most major policy shifts involve a change in the distribution of power, and this is a point recognized and stressed in the sections on Norway and Italy. Changes in the power structure are often resisted, and some of the turmoil which follows policy change is an expression of this resistance. Whether the integration of the handicapped involves a minor or a major realignment of 'the powers that be' depends on what we mean by integration. This distinction was raised by Lise Vislie, and I will discuss it further in Unit 14.

Policy making units

5.9 Not all policy making has to be conducted on a grand scale. A group of schools or even one school may actively pursue a particular plan. In thinking about the particular circumstances of the UK you will have to consider whether such local efforts should be given some degree of permanence, coherence and direction by legislation. The implementation of national policy depends on the existence of these smaller policy making units. In the US there are state, county and school district administrations. In Norway there is the county and the commune. School districts usually contain somewhere between 5000 and 50,000 students. In the UK there is no unit comparable in size to the school district and commune between large local education authorities and individual institutions. It may be that effective development of policy requires us to develop such a unit. In Oxfordshire they have been working on the idea of a school sector containing a group of comprehensive schools and their associated primaries. If such a sector is to have responsibility for implementing integration, it needs to be a community in which children live, and to include other support services, rather than being just a group of schools. We could identify a *policy area*, then, as a *community* in which are located one or more comprehensive schools and their associated primary and nursery schools. It could include the special schools which children from that area regularly attend, the further education available to them and the supporting provision from education, health and social services. A policy area is an idealized notion whose precise practical meaning can be worked out within a particular local education authority.

The characteristics of education systems

5.10 The countries I have examined differ in the extent to which education is controlled by central government. Traditionally, the Norwegian government has exerted a considerable degree of control, including relatively strict curriculum guidelines. It has this in common with other Scandinavian and Nordic countries, as well as France and Italy. Norway seems to have efficient connections between central and peripheral administration, with information flowing freely in both directions, which is no doubt eased by its small population. Italy, on the other hand, appears to have only limited connections between Roman and regional bureaucracies. Margaret Archer (1980) has described policy change in countries with centralized education systems as 'step-wise'; major changes occur only after considerable pressure is built up, and are followed by a period of new stability. This describes Italian changes rather better than Norwegian, and the administrative communication system may be the vital consideration.

5.11 The US, like the UK, is reputed to have a tradition of regional autonomy in education, with major issues of education policy being decided locally. The introduction of PL 94–142 represented a major break with this tradition and was strongly opposed for this reason. But how much real freedom individual schools and local education authorities have in countries with formally decentralized education systems is open to question. Schools in the US are controlled by national standards of educational achievement, those in the UK by the examination structure. If LEAs and schools were truly autonomous, what degree of diversity would one expect to find between them? Could it be that so-called decentralized systems are subject to considerable hidden controls? In his comparative study of childhood and education in the US and USSR, Bronfenbrenner (1970) thought that each nation's conformity in the education of its children was produced by different forms of control. Broadfoot (1980) mentions the tradition of grassroots initiatives in France, which belies the tag of 'centralized system', and this is evident in Denmark in the 'little schools' movement where the state will fund schools initiated by community groups. Characterizing an education system as centralized or decentralized is further complicated by the fact that such systems change. The moves towards greater accountability and the development of a core curriculum, as well as central government control of LEA budgets, is leading to greater centralization in the UK. In Norway the moves are in the opposite direction.

5.12 To understand, then, how changes are made, and who has the power to make them, we need to know more than whether an education system is centralized or decentralized. We need to know the official, formal system, and the informal, hidden one; the efficiency of communications between the centre and the regions; and how the system can be influenced. In terms of the UK's formal administrative structure, LEAs and head teachers do have considerable scope for making decisions. Any attempt to impose new national policy must further limit that formal freedom, and for any particular policy, we have to consider whether such loss of local autonomy is *desirable*.

5.13 The moves towards integration in Norway, Italy and the US were all accompanied by legislation, though its function and effects were different in each country. In Norway, legislation appeared to give official blessing to policies already in existence. In the US, federal legislation translated into educational terms and hastened changes brought about by the courts. In Italy, legislation promoted a coherent policy in a country with very varied political and economic conditions. In Italy, with its poor administrative machinery, and in the US, with its tradition of local autonomy, national policy making required the compulsion of new laws. In deciding on the desirability of legislation in special education in the UK, we may have to consider whether the integration of children with special needs could proceed without it.

Policy making in one British local authority

5.14 In order to try to understand the problems of developing a policy of integration in the UK, I took a further look at the fate of special class provision in the London borough of Bromley, where mentally handicapped children, aged three to eight years, have been educated in units within ordinary schools since 1971 (see Case study 44, which you read in Unit 5/6). The classes work very well, the children appear to receive an effective education, and they and their parents have the additional benefits of integration. They have been well accepted by other children and the parents of the non-handicapped, which was especially evident when the parents of the non-handicapped children raised

£10,000 in order to rebuild a unit at one school when the administrators had decided to move the group to a different school, because their own building had deteriorated. That the integration of mentally handicapped children should have been initiated so easily both in Bromley and Derbyshire (the subject of TVs 1 and 2) is remarkable. Some of the problems envisaged before integration were actually solved by its implementation. I wanted to know why such an innovation had not been extended into the junior or secondary stage or broadened to include other groups of handicapped children.

5.15 The NFER study on the Bromley classes suggests that mentally handicapped three to eight year olds are in normal schools to permit a lengthy period of assessment before a 'final' decision is taken about appropriate placement (Hegarty and Pocklington, 1982). That sounds to me very like a *post hoc* rationalization. I had taken a rather different view, for I had suspected that failure to extend the classes into junior schools and beyond was the result of a conflict between two sides in the LEA, with the segregationists regaining the upper hand. I had a long discussion with the retired assistant education officer who had had major responsibilities for setting up the classes in infant schools. The story I came away with was more complex than my suppositions, for the conflicting tendencies to integrate and segregate were both mediated by the same person. He was quite clear that it had been his proposals to the education committee which had established the special classes and that there had been little opposition to the plan. He thought that once administrators had reached a position of trust with their education committee, proposals were usually ratified without detailed discussion of philosophies. There had been little opposition from his colleagues either. Before 1971 the training centre, which had places for eighty children, contained a hundred and twenty. There was no provision for the under-fives. Other children were at home and there was an urgent need to find additional school places. His decision to move ahead with special classes had been informed by a number of sources. There was considerable pressure by the Bromley Society for Mentally Handicapped Children, a vociferous and well organized group who pressed strongly for integration. Their efforts were given added weight because they followed a campaign by the local society for the deaf who had been outraged at the total lack of provision for deaf children in Bromley. He discussed the ideas with people from the campaign for the mentally handicapped and he drew on the work of Jack Tizard who had suggested that mentally handicapped children could respond well to an environment like that of a good infant school.

5.16 The provision was started with groups of mentally handicapped children placed in the 'best' infant schools in middle class areas of the borough. They had suspected that they might get adverse reactions from other children or their parents in areas which already had a considerable number of problems. But when a group was placed in one such school the problems were no greater. They were surprised at how readily the children were accepted.

5.17 The assistant education officer gave two main reasons for the failure to extend provision to the junior age range. The junior schools in the area did not contain heads with the same interest in working with mentally handicapped children. But the most important reason was that he had miscalculated the demand for provision. At the same time as he was establishing the special classes he had pressed through committee plans for the building of a new ESN(S) school. It was built for a hundred children but when it opened it had only twelve pupils. Once it had been built the new school created pressures of its own. Its existence had to be justified. The only infant and junior school to have groups of mentally handicapped children had one group who were profoundly handicapped. This group was moved across to the new special school to make the numbers more respectable and gradually its numbers built up to a reasonable level. While he recognized that the new school was good as a special school, he did think that a mistake had been made. He had increasingly come to question the validity of special schooling and thought that plans to reallocate the resources within them to ordinary schools should be initiated as soon as possible. ESN(M) schools could be very inward looking. Physically handicapped schools could be dominated by medical concerns at the expense of their education. It was clear from the Derbyshire experience that children with handicaps could be included in ordinary schools throughout their schooldays irrespective of the severity of their handicap. He believed in the advantages of comprehensive schools and found that once he had accepted the idea it was difficult to argue 'it's comprehensive for everyone except the handicapped'.

5.18 This AEO's story illuminates the problems involved in a *laissez-faire* system of policy making. Trends exist within a local authority which are too dominant to be deflected by the efforts and ambitions of one person or of a single group of parents, whose pressure is deflated once they gain some measure of success for their own children. If we desire integration we may need a national policy before we can achieve it.

Policy making in the UK—a view from the US

5.19 Of course we already do have a system of national policy making. The 1981 Education Act is due onto the statute books at the moment (October 1981), and is descended from the Warnock Report of 1978 (DES, 1978). Before the Warnock Report emerged local administrators could be heard to utter that their policy on integration awaited the findings of the report. After it was published, the same individuals were waiting to see how the Warnock message would be transmitted to the new education act. I described, in Unit 1/2, how ambiguous the recommendations of the Warnock report are in their implications for integration. The Education Bill which foreshadowed the Act reassured local authorities by saying, in its preamble, that they were already complying with its intentions. Policy making which tells us that what we're doing is fine looks remarkably like drift.

5.20 David Kirp is a professor of social policy at Berkeley and devotes his time and that of his students to the study of special education, legislation and policies. He is a member of a breed quite alien to the UK. When he came to England he observed British special education to be 'almost exclusively the province of specialists, an institutional marginal service, isolated from ordinary schools and managed by a specialist group'. He identified an extremely loose system of national policy making where 'orders are rare and government by circular the norm. The system is perceived by its participants as depending on hint and signal, consultation and suggestion'. David Kirp came to the UK shortly after the publication of the Warnock Report and attempted to assess its relationship to and impact on policy making in special education. He noted the considerable surface appeal of committees:

> The committee theoretically enables a knowledgeable group to take an unblinkered look at policy in a given domain. In practice, new ideas rarely emerge from these committees, although on occasion—as with the Plowden Committee's embracing the open classroom concept—innovative practices are given legitimacy. The committee tends instead to seize upon the prevailing conventional wisdom, and become a lobby for its own course.
> (Kirp, 1981, p. 29)

He seems to have omitted the Jay Report (1979) from his preview, which was warmly received by reforming groups, and also the Black Report, *Inequalities in Health* (1980), the publication of which was suppressed by the government because of its unpalatable findings. His comments do apply to many reports and government enquiries into education.

5.21 The membership of government appointed committees is drawn up by senior civil servants, and, for education, most nominees are proposed by the DES, which also provides the support team which drafts papers and suggests the people who should give evidence. The whole organization and structure of such committees leads them to advocate 'a bigger and better co-ordinated version of the present: provide more services or extended service provision to those previously unserved'. David Kirp sees this as a particularly apt characterization of the Warnock Committee, whose membership included one parent of handicapped children, but no black people: 'race is nowhere mentioned in the Warnock Report. The index to the report includes West Germany but not West Indians. Racial over-representation is an unknown concept.' In fact the idea of the rights of the handicapped was quite alien to some committee members: 'As committee chairman, Mary Warnock put the point "There is something deeply unattractive about the spectacle of someone demanding his own rights" ' (Kirp, 1981, p. 28). The committee sought to distil a consensus of mainly professional opinion, with little appeal to the rights of children and parents or moral and political values. It was chaired by an Oxford don, the ex-head of a highly selective girls' school, avowedly committed to selective education. It is hardly surprising that the report failed to set special education within a philosophy of compre-

hensive education, but the omission is a serious shortcoming. For breaking down the distinction between ordinary and special education requires a thorough examination of the changes required in ordinary schools. We have seen that the US seems equally lacking in the elaboration of the new philosophy and practice of integrated education. But, as Kirp points out:

> A school system which rigidly observes the demarcation between ordinary and special education will make one thing of the notion of an expanded special program, while a system working to connect up ordinary and special instruction assumes a rather different set of tasks. To link the future of handicapped children to the ordinary schools demands attention to, among other things, teaching skills required in heterogeneous classrooms, the quality of interchange among students with diverse backgrounds and abilities, the relationship between the ordinary program and supplementary support, and the fear concerning the impact of the venture on the quality of education.
>
> (Kirp, 1981, p. 29)

5.22 He contrasts the essentially professional approach to British special educational policy with the American initiatives: the political nature of the mainstreaming movement; the legal guarantees of a free appropriate special education to all handicapped children; and the bureaucratic demands for control and accountability.

5.23 The emphasis on rights in legislation in the US, which, to Kirp, is its pre-eminent feature, involves a recognition of the conflict of interests that may occur. Such conflict may well lead to 'an education measurably better than would otherwise have been provided, and in general it fosters a dynamic rather than a static policy'. It can, however, erode 'the element of trust' which is 'essential if a helping relationship is to be maintained'. In the UK, the existence of such conflict is denied through the ideology of benign professional largesse. I have already suggested that there are conflicting tendencies within PL 94–142 which the legislators failed to recognize, and I have argued that there is a greater professional and bureaucratic take-over of policy than David Kirp appears to recognize. In particular he underestimates the professional interest of lawyers in bringing special educational conflict to the courts. It almost seems as if he envisages an unmediated, pure relationship between American citizens and the American constitution. However, such a contrast between American and British policy making does provide a convenient simplification. What would be the effects on policy in special education in the UK if the rights of the handicapped were recognized culturally and endorsed legally?

The role of legislation

5.24 It may seem rather academic to discuss the desirable content of legislation when the 1981 Act has already been passed. In Unit 1/2, I argued that official documents portrayed a dominant tendency towards integration which was not supported by the facts. The 1981 Act was based on the assumption that such a process was occurring, and retains the ambiguity of the Warnock Report and Section 10 of the 1976 Education Act. Legislation which overtly recognized the existence of strong segregating forces in the education system would have been framed differently. It is still possible that future government circulars or further legislation will take this into account.

5.25 Legislation in the US certainly does attempt to have a precise influence on practice. The law requires the following:

(a) appropriate education of all handicapped children;

(b) identification of all handicapped children;

(c) their education in the most integrated setting possible, even where this requires additional support.

(d) production of an annual individual educational plan, following a multi-professional assessment for all children with special needs;

(e) involvement of parents at all stages of decision making, their right of appeal to the courts and their right to be represented by an advocate;

(f) submission of an annual state plan;

(g) in-service training of teachers in the education of children with special needs.

5.26 Perhaps the best insight into the implementation of PL 94–142 was given by Richard Weatherley when he said that 'by dictating so much' they 'actually dictated very little'. In some areas of the US that may be an unfair assessment, for example, in Wisconsin, where thorough plans for integration have been instituted. In other areas, where teachers and other professionals have been so busy filling in forms that they have actually reduced the delivery of services, Weatherley's assessment is accurate.

5.27 Legislation has to be framed so that it gives practice a sufficient push in the desired direction without over-prescription. In attempting to guarantee compliance with the spirit of the law, PL 94–142 may have overdone the introduction of bureaucratic and legal controls, paperwork and due process. Italian legislation, while far simpler in its requirements, has had at least as strong an effect on practice. The deficiencies of Italian legislation as far as the UK is concerned appear to be its lack of flexibility, particularly over the form of education provision for the handicapped and the lack of guarantees that promised services can be delivered. The framing of educational legislation can be viewed as an art which should test the limits of the ability of individual institutions and street level bureaucrats to change.

Activity 2 If you had to draw up legislation to promote integration, what would you include?

Comment My own list of initial legal requirements of LEAs would include the following:

(a) No new provision outside ordinary schools.

(b) The development of a continuum of provision for the whole range of special needs.

(c) The production of public plans for the development of services by LEAs.

(d) The development of policy areas within LEAs.

We will return in Unit 16 to the co-ordination of policy and practice in special education.

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Appendix 1

Extracts from two IEPs.

San Benito/Santa Cruz Counties
COMPREHENSIVE PLAN FOR SPECIAL EDUCATION — INDIVIDUALIZED EDUCATION PROGRAM

Student Jane Smith — Birthdate 1/31/61 — Parent/Guardian H. Smith

School Farm TMR — Grade scnd — Teacher/Counselor Debbie Holt

Specialist _____

PUPIL STUDY SUMMARY AND PRESENT LEVEL OF PERFORMANCE

I. HEALTH STATUS: (Include Vision, Hearing, Medication, etc.)

Hearing - audio 1/80 - normal
Vision - Opth. eval. '80 - no recommendations
Orthopedic evaluation - no treatment necessary - re-check in one year
Neurological evaluation done

II. MOTOR/PERCEPTUAL STATUS:

A. Gross Motor Skills: (Coordination and Balance, etc.)

Very good strength and stamina. Much improved in running and endurance. Also improved in balance and flexibility. Great attitude and cooperation. Coordination is very good in game skills, especially softball, and volleyball. Good hand-eye.

B. Fine Motor Skills: (Eye-Hand Coordination, etc.)

Writes in cursive and printing. Has improved in fine-motor skills.

C. Perceptual Skills: (Visual, Auditory-Listening, etc.)

Visual and auditory skills above Farm school population. Some minor perceptual problems emerge with academic work.

III. COGNITIVE/ACADEMIC STATUS: (General Intelligence, Reading, Writing, Arithmetic, Spelling, etc.)

Reading stranger than Math. WRAT - Reading 1.7, Spelling 1.7, Math 2.

IV. COMMUNICATIVE STATUS: (Articulation, Voice, Fluency, Language: receptive/integrative/expressive, etc.)

Parent mentioned possible articulation problems.

V. PERSONAL, SOCIAL AND EMOTIONAL STATUS: (Self Help Skills, Pre-vocational, Vocational, Self Concept, Relating to Others, Adaptive Behaviour)

Very well-liked by peers. Positive self-image. No longer having stealing problem at home. Still ostracized by other girls in home. Plans to be working summer, 1980 in Branciforte cafeteria - 20 hours/week.

Distribution: White - IEP Implementer;
Green - LEA Office;
Yellow - student file;
Pink - Parent;
Gold - RLA Office

FORM CPSE NO. 8-b (1/79)

San Benito/Santa Cruz Counties
COMPREHENSIVE PLAN FOR SPECIAL EDUCATION

INDIVIDUALIZED EDUCATION PROGRAM

Name Jane Smith

RECOMMENDATIONS/SIGNIFICANT OBSERVATIONS: (Interpretation of testing, strengths, learning style, developmental needs, etc.)

Assessment by speech and language therapist for articulation problems.
Janie to become San Andreas client. Plans are for placement eventually in an adult group living home.

PLACEMENT: (Specify)

Special Day Class [X] Severely Handicapped - Cabrillo Program - Sept. 1980

Resource Specialist Program [ ]

Designated Instruction and Service [ ]

Other [XX] Extended Year Program - if not involved in Y.E.S. Work Experience program.

SPECIFIC ANNUAL GOALS: (Prioritize)

1. Vocational education - increase skills
2. Increase functional academic skills
3. Increase gross-motor skills through p.e. activities.

Duration of Service (School Calendar):

[ ] Modification of Graduation Standards for Secondary Pupils (Attach Course of Study and Proficiency Standards needed)

[ ] The team determines that the student has a learning disability with a severe discrepancy between achievement and intellectual ability in one or more of the following areas: oral expression, listening comp., written expression, basic reading skills, reading comp., math calculation, math reasoning. (PL94-142 121a.541).

PARENT DECISION:

X I consent to the placement described above.

___ I refuse to consent to the placement described above.

H. Smith A. Smith — Parent/Guardian Signature — 5.20.80 Date

SIGNATURES OF THOSE IN ATTENDANCE: [ ] SAT [X] EAS Date 5.20.80

Parent H. Smith A. Smith	Student
Principal Jane B. Hubert	Sp. Ed. Adm.
Resource Specialist	Psychologist Caryl Hogan
Reg. Teach./Counselor	Nurse M. Farquhar
Sp./Lang. Specialist	Program Specialist
Pupil Advocate	DIS Instructor
DIS Instructor	Priv. School Rep.
Sp. Day Class Teacher Debbie Holt	Social Worker Lenn Cavell
Other	Interpreter

Note: Those who disagree must attach report within 5 days. Place a "D" at end of signature. Distribution: White - IEP Implementor; Green - LEA Office; Yellow-student file; Pink-Parent; Gold-RLA office

FORM CPSE NO. 8-c (8/79)

INDIVIDUALIZED EDUCATION PROGRAM

Student Long, John Birthdate 8/10/64 Student ID # UH 10-26- 93

School EEU Grade Int.BD/MR IEP conference date 11/9/78 Projected review date 10/79

I. SUMMARY OF PRESENT LEVEL(S) OF PERFORMANCE

Scholastic: UPAS assessment in:
Preacademic at 2-3 yrs.
Communication at 2-3 yrs.
Social/Self-help at 2-3 yrs.

TARC assessment (standard score with mean of 50 and standard deviation of 20) in:
Self-help skills - 44
Communication skills - 51
Social skills - 43

Physical: UPAS assessment in:
Gross Motor at 1-2 yrs.

TARC assessment in:
Motor Skills - 48

Oral Motor: Exhibits primitive oral-motor patterns. He is hypersensative to touch in and outside of the oral cavity as exhibited by an increase on activity, crying, and avoidance on presentation of a variety of stimuli. No Abnormal reflex activity is present, to exception of a hyperactive gag reflex (as related to sensitivity). John's dental development does not provide many opposing surfaces for chewing.

II. ANNUAL GOALS

By August 1979, John:

1) When presented with the appropriate materials and cues, will complete Training step #3 of Prevocational Match, Sort and Assembly Program to 90% accuracy for 3 consecutive days.

2) Given a picture as a cue, will name 10 pieces of clothing and/or household objects to 90% accuracy for 3 consecutive days.

3) When presented with 5 familiar toys, will play with 1 or more of them appropriately and independently for 5 minutes on 3 consecutive days.

4) When given the cue, will take off and put on his shirt, pants, underpants, shoes, and socks with 100% independence, within 20 minutes on 3 consecutive days.

Appendix 2

Mainstreaming a blind child—a case study

'Would you please let Mark feel that fireman's hat? He can't see very well.' I pushed Mark toward the fireman who was demonstrating the equipment.

'What do you mean I can't see very well, Mrs Whitelaw? I can't see at all, I'm blind.'

'Yes, Mark. But I don't want to say it. Maybe if I don't say it, it won't be true.'

Yes. I am handicapped (emotionally) in my thinking about handicaps (physical). But I shall learn better, because I am teaching a totally blind student in a regular fourth-grade classroom. My former attitude of real, but fleeting, sympathy for handicapped people is no longer adequate.

I am now aware that mainstreaming must take place for the sake of the non-handicapped as well as for the handicapped themselves. I am also aware that such mainstreaming requires training and learning by the teacher who attempts the placement.

The purpose of this article is to describe my own involvement with a blind student with the hope that this will help others who find themselves in the same situation.

Four aspects of this experience I have found especially challenging: physical arrangements, methods, personal needs of the student, and teacher knowledge of braille. (This discussion assumes that the classroom teacher will have part-time assistance from someone knowledgeable in braille.)

Physical arrangements

1 A blind child needs a table large enough to hold the braille writer and the book and/or paper he may need to complete his work. Mark's table is about 65 × 100 cm (26 × 40 in.) and serves him well.

2 He needs a desk so that, during a listening and/or discussion activity, he can be physically part of the group.

3 He needs a bookcase or set of shelves large enough to hold braille books, many of which will be about 30 × 30 cm (12 × 12 in.).

4 He needs folders, labelled in braille, with pockets in which to place his work. He needs a folder for each subject area.

5 He needs a coat hook of his own in the children's coatroom.

6 He needs a good supply of braille books in the library.

7 He needs a braille ruler and a tactual map or globe.

Methods

1 Probably the most pressing problem is diagnosis of needs and of achievements. All written tests must be brailled, of course. (It is assumed that texts will be brailled.) Braille takes up more space than print so matching exercises, tables, charts, fill-in-the-blank map work, etc. are forms which can be used rarely, if at all. The special teaching can help by previewing tests to prepare the child when possible, and by changing the test format to accommodate braille when necessary. At times, oral testing may be the most effective option.

There is also the problem of the difference between learning braille and learning print. If the child cannot read the word disown, is it because he does not know the braille contraction 'dis', or because he is unsure of the pronunciation of the diagraph 'ow'? Is he unsure of the meaning because he is not trying hard enough, or because learning by context is more difficult for the blind than for the sighted? These problems can be met only through continual review by the special teacher after all contractions are—presumably—learned. (This is the same sort of spiral teaching and testing done for the sighted in their phonetic skill development.)

Mark's parents also helped with this. They listened to him read and kept a list of miscalled words. We checked the list for error patterns.

In maths, do problems arise because of difficulties inherent in working with numerals in braille, or because of lack of understanding of mathematical concepts? Boxes, numbers in colour and maths games and puzzles create problems in transposing into braille. The most effective solution for me was to ask the special teacher to review the format and procedures on pages where I thought Mark might have difficulty.

2 I often use the chalkboard for short and/or spontaneous explanations. Examples like five words ending in -tion, the diagramme of a delta, the run-on sentence, must be explained to the blind child. Having a sighted child do the explaining serves a dual purpose of informing Mark while I check on the understanding of the other student. If a list of words, numerals, or phrases is to be used an activity, I find the simplest solution is to have Mark braille them right at that moment. It is important to remember that if chalkboard demonstration is necessary for other children, it is reasonable to assume that the blind student also needs added explanation.

3 Diagrams, charts, tables, map work, etc, pose obvious problems. I generally give oral explanation of the information.

4 Gaining and maintaining student attention is a continual concern for the teacher of any class. With a sighted group, the teacher can pretty easily determine the attentiveness of the students by looking at their eyes. Since eye contact with a blind student is impossible, the teacher must determine attentiveness by posture and hand position. For some sighted students, the teacher need only establish eye contact to correct the wandering. The blind student gets the message only through touch or hearing.

5 The blind student will probably be slower to find his materials, prepare for a lesson, and perform the common tasks of reading, writing and cleaning up. Part of the obvious answer is to be absolutely certain that shelves, folders, hooks etc., are accessible to the child. This accessibility is not as easy as it might seem. For example, I did not realize how difficult it is for a blind person until I closed my eyes and tried to care for my books and papers. I believe that the patience of the teacher in this area is of great importance because it allows the child to assume responsibility for himself and it sets a model for the non-handicapped children.

6 Directions in workbooks and teacher made materials often refer to 'the word in italics', the underlined word, etc. This demands more knowledge of braille on the part of the blind child than it demands print knowledge on the part of the sighted child. Furthermore a workbook page may ask a sighted child to refer to the top of the page for information on which to answer questions on the bottom of that page. This process of referral is excellent practice for research skills. But that single print page may require three braille pages, making the process of referring much more difficult. This does not mean that the work should not be done, only that more time and possibly more difficulty should be expected.

Personal needs of the student

1 Non-verbal communication is an inherent part of teaching. The blind student receives little, if any, of this. Even the tones of voice are deceptive—as the wink of an eye will indicate (to the sighted).

2 The sighted child daily receives frequent comments about his written work. Reinforcement of the blind child's written work is necessarily limited by the frequency and length of the special teacher's visits. The encouragement and help almost always come when the work is 'cold', not at the moment of creation when prompting is most effective.

3 The sighted child receives frequent written feedback on his work—'You are doing better, John.' 'Is this your best?' 'Please be neater.' The sighted child can read this as often as he wants, can show it to his friends, and parents, can benefit many times from one comment. Can this be done for the blind child? There are problems when one teacher (the classroom teacher) gives the assignment, and another teacher (the special teacher) corrects it. The special teacher simply transposes the braille. The classroom teacher can communicate with the child only orally on the content of the work.

4 The sighted child sees written communication with home, the report card, the note about good (or bad) behaviour, the request for supplies. Thus the sighted child accepts a certain responsibility for such matters is more difficult, yet just as important, for the blind child.

Knowledge of braille (for the teacher)

I cannot consider this article complete unless I discuss the classroom teacher and knowledge of braille. Although the study of braille was not recommended to me, I took a two week course in it. I did not know when I began that two weeks is entirely inadequate. I guess that is why no one recommended it to me! Anyway, I continued study on my own because I became intellectually interested in the subject. One cannot, in two weeks, learn the contractions and intricacies which make braille efficient. However, you can learn to indicate errors by sticking a piece of masking tape beside an error and brailling an x on it. You can put a mark on a paper in the same way. And you can also write 'This is great'! or 'You can do better', or 'I like this!'.

Mark is helping me to overcome my handicap of thinking that he needs pity. All of us in the class accept his blindness (almost as well as he does), and that leaves us free to enjoy his spirit and personality.

(Mrs Whitelaw is a school teacher in Buffalo, New York.)

Acknowledgements

Grateful acknowledgement is made to the following for permission to reproduce material in this unit:

Text

Posternak, Y. (1979) *The Education of the Handicapped Adolescent*, Paris, OECD; O'Brien, R. (1973) 'The integrated resource room for visually impaired children' in *Journal of Visual Impairment and Blindness*, **67**; Gruenewald, L. J. and Schroeder, J. (1979) *Integration of Moderately and Severely Handicapped Students in Public Schools*, Paris, OECD; Thomas, D. *et al.* (1978) *ENCOR—a way ahead*, CMH Enquiry Paper 6, London, Campaign for the Mentally Handicapped; Weatherley, R. A. (1979) *Reforming Special Education*, reprinted by permission of MIT Press, Cambridge (Mass.), copyright © 1979 MIT Press; Whitelaw, N. (1978) 'Mainstreaming a blind child' in *Journal of Visual Impairment and Blindness*, **72** (April).

Figures

Figure 2 from Steedman, H. (10180) 'The reorganisation of upper secondary education in Italy: the political and educational context' in *Compare*, **9** (1), Carfax Publishing Co.

Illustrations

Title page and p. 21 (*top*) President's Committee on the Employment of the Disabled; *p. 21* (*bottom*) J. Allan Cash Ltd; *p. 24* (*top and bottom left and top right*) Margaret Murray; *p. 24* (*centre right*) UNICEF: photo by SEITZ; *p. 24* (*bottom right*) UNICEF/Sue Steiner; *p. 25* all photos Novosti Press Agency.

The course

This text forms part of an Open University course, E241 *Special Needs in Education*. The complete list of units in the course appears below.

Unit 1/2 Special biographies	Unit 10 National perspectives
Unit 3 Family views	Unit 11 Biology and handicap
Unit 4 Education for adult life?	Unit 12 Psychology and special education
Unit 5/6 A special curriculum?	Unit 13 Handicap is social
Unit 7 The professionals	Unit 14 Eradicating handicap
Unit 8 The powers that be	Unit 15 Research in special education
Unit 9 Origins	Unit 16 An alternative system: a special imagination

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The author

Tony Booth is a lecturer in special education at the Open University. He graduated with a degree in psychology and philosophy before working in programmed learning, teaching in a comprehensive school, and qualifying as an educational psychologist. He has worked for three local education authorities as well as in departments of child psychiatry. He has also been involved in research on children's learning at Guy's Hospital and, at Cambridge University, on physically disabled adults and the integration of mentally handicapped children.

For this course, as well as this unit, he has written Units 1/2, 13 and 14, and is one of the authors of Unit 16. He is also co-author, with June Statham, of the case studies which are set reading—*The Nature of Special Education* (1982, Croom Helm/The Open University Press). He has also written *Growing Up in Society* (1975, Methuen).

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